

the Public Health and Marine-Hospital Service; to the Committee on Interstate and Foreign Commerce.

By Mr. MARTIN of South Dakota: Memorial of members of the German Lutheran and Norwegian Lutheran Churches, of Sioux Falls, S. Dak., urging that the shipment of wine for sacramental purposes be excepted from the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, memorial of members of the German Lutheran and Norwegian Lutheran Conferences, in joint session at Sioux Falls, S. Dak., urging that the order revoked by the President relative to the wearing of distinctive religious garbs by teachers while in Government employ be again put in force; to the Committee on Indian Affairs.

By Mr. PATTON of Pennsylvania: Petition of the Woman's Christian Temperance Union and citizens of Sinnamahoning, county of Cameron, State of Pennsylvania, favoring passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. PRAY: Memorial of members and pastor of the Baptist Church of Hamilton, Mont., in favor of House joint resolution 163, prohibiting interstate commerce of liquors; to the Committee on the Judiciary.

Also, petition of citizens of Warrick and Maddux, Mont., in favor of House bill 14, a bill for parcel-post law; to the Committee on the Post Office and Post Roads.

By Mr. RAKER: Letter from Shipowners & Merchants' Tugboat Co., of San Francisco, Cal., against passage of House bills 11372 and 20576, prohibiting towing of log rafts or lumber rafts through the open sea; to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Legislature of New Mexico, urging passage of Senate bill 3367—relief homestead law; to the Committee on the Public Lands.

By Mr. ROBINSON: Petition of the Young Men's Christian Association and citizens of Pine Bluff, Ark., favoring passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of the German-American Federation of Arkansas, composed of 59 German societies in the State of Arkansas, against any bill for prohibition or interstate-commerce liquor measure; to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Monticello, Ark., favoring passage of the Kenyon-Sheppard interstate liquor law; to the Committee on the Judiciary.

Also, petition of A. H. Wright and others and W. G. Roads and others, of the State of Arkansas, favoring a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Monticello, county of Drew, State of Arkansas, against a parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. SABATH: Petition of the Chamber of Commerce of San Diego County, Cal., against House bills 11372 and 20576, prohibiting the towing of log rafts or lumber rafts through the open sea; to the Committee on the Merchant Marine and Fisheries.

By Mr. SCULLY: Petition of Ira B. Tice Lodge, No. 309, Brotherhood of Railroad Trainmen, for enactment of Senate bill 5382 and House bill 20487; to the Committee on the Judiciary.

By Mr. SULZER: Memorial of first Legislature of the State of New Mexico, for amending the laws relating to homesteads; to the Committee on the Public Lands.

Also, petition of A. Wimpfheimer & Bro., of New York City, for retaining the Tariff Board; to the Committee on Ways and Means.

Also, petition of the American League of Associations, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, memorial of the Medical Society of the State of New York, for establishing a national department of health; to the Committee on Interstate and Foreign Commerce.

Also, petition of the New York Cotton Exchange, for appropriation to repair the levees of the Mississippi River; to the Committee on Rivers and Harbors.

Also, petition of Leopold Powell & Co., of New York City, for enactment of House bill 22766, to prohibit the use of trading coupons; to the Committee on Ways and Means.

By Mr. TALCOTT of New York: Petition of the Medical Society of the State of New York, for establishing a national department of health; to the Committee on Interstate and Foreign Commerce.

By Mr. WEDEMEYER: Petition of a number of citizens of Jackson County, State of Michigan, favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

SATURDAY, April 27, 1912.

(Continuation of legislative day of Friday, April 26, 1912.)

The recess having expired at 10.30 a. m., the House was called to order by the Speaker.

POST OFFICE APPROPRIATION BILL.

The SPEAKER. The House, under the order adopted yesterday, automatically resolves itself into Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill, and the gentleman from Virginia [Mr. HAY] will take the chair.

Mr. GARRETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT. I was not present when the order was made. Do I understand that the order is such as to prevent a request for unanimous consent?

The SPEAKER. The Chair would think the terms of the order cuts out anything else. Some time to-day the committee may rise temporarily.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 21279, the Post Office appropriation bill, with Mr. HAY in the chair.

Mr. MOON of Tennessee. Mr. Chairman, I yield two minutes to the gentleman from Missouri [Mr. RUCKER].

Mr. RUCKER of Missouri. Mr. Chairman, I sought this recognition in order to make a statement which I desired to go in the RECORD. On yesterday I gave notice on the floor of the House that as soon as I could secure recognition to-day I would ask the House to take up and dispose of the amendment from the Senate in reference to the popular election of Senators. At that time it did not occur to me that this Post Office appropriation bill was under consideration and that it was as important as it is to secure early action and send the bill to the Senate. That matter has been called to my attention, and therefore I desire to announce now that I will not seek to take that matter up until after the disposition of the Post Office bill by the House.

Mr. MOON of Tennessee. If the gentleman from Indiana [Mr. BARNHART] is on the floor, I yield to him. Mr. Chairman, the gentleman from Indiana seems not to be present at this time, and the gentleman from Iowa [Mr. KENDALL] will address the House in the 30 minutes yielded to him by Mr. GARDNER of New Jersey.

Mr. KENDALL. Mr. Chairman, the concrete proposition to which I direct the attention of the House is embodied in the amendment agreed upon by the advocates of Federal aid to highway construction:

That for the purposes of this act certain highways of the several States, and the civil subdivisions thereof, are classified as follows:

Class A shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide, composed of shells, vitrified brick, or macadam graded, crowned, compacted, and maintained in such manner that it shall have continuously a firm, smooth surface, and all other roads having a road track not less than 9 feet wide of a construction equally smooth, firm, durable, and expensive, and continuously kept in proper repair.

Class B shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide, composed of burnt clay, gravel, or a proper combination of sand and clay, sand and gravel, or rock and gravel, constructed and maintained in such manner as to have continuously a firm, smooth surface.

Class C shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, with ample side ditches, so constructed and crowned as to shed water quickly into the side ditches, continuously kept well compacted and with a firm, smooth surface by dragging or other adequate means, so that it shall be reasonably passable for wheeled vehicles at all times.

SEC. 2. That whenever the United States shall use any highway of any State, or civil subdivision thereof, which falls within classes A, B, or C, for the purpose of transporting rural mail, compensation for such use shall be made at the rate of \$25 per annum per mile for highways of class A, \$20 per annum per mile for highways of class B, and \$15 per annum per mile for highways of class C. The United States shall not pay any compensation or toll for such use of such highways other than that provided for in this section, and shall pay no compensation whatever for the use of any highway not falling within classes A, B, or C.

SEC. 3. That any question arising as to the proper classification of any road used for transporting rural mail shall be determined by the Secretary of Agriculture.

SEC. 4. That the compensation herein provided for shall be paid at the end of each fiscal year by the Treasurer of the United States upon warrants drawn upon him by the Postmaster General to the officers entitled to the custody of the funds of the respective highways entitled to compensation under this act.

SEC. 5. That this act shall go into effect on the 1st day of July, 1913.

The basic principle of the measure is compensation by the Federal Government for the use of the roads traveled by car-

riers in the Rural Delivery Service. The number of miles now so utilized is 1,179,000, and no reason is perceived why the Government should not discharge its rental obligation for the use of these highways in a reasonable amount, to be calculated with reference to the character of each particular highway. For the purpose of this determination the bill divides roads into three classes:

(1) Class A. The highest form of improved road in the country, for which it is provided that the Government shall pay at the rate of \$25 per mile per year.

(2) Class B. A thoroughfare of high quality, but not equaling class A, for which it is provided that the Government shall pay at the rate of \$20 per mile per year.

(3) Class C. The ordinary dirt road of the country, somewhat improved, for which it is provided that the Government shall pay at the rate of \$15 per mile per year.

No payment will be made for a road not within one of the prescribed classes, and the road authorities will be compelled to maintain the highway at the standard established in order to participate in the provisions of the bill. If this legislation is enacted, a steady and progressive improvement will characterize road conditions throughout the country. Dirt roads will be transformed into improved roads as rapidly as possible, to the end that the communities traversed may enjoy the compensation provided in the bill. The universality of benefit assured by this measure is its paramount merit. It will result in advantage to every State and practically to every community in the land.

Wherever a rural route extends, however remote from city or town, the stimulating effect of the measure will be immediately observed. The spirit of local improvement will not be impeded, but, on the contrary, it will be energized for the rehabilitation of highways everywhere. [Applause.]

This amendment in its entirety represents the individual opinion of no single Member of the House, but it is presented as the composite judgment of those of us who believe that legislation should be enacted to secure the systematic betterment of rural roads throughout the country. In this debate we have been entertained—I was about to say diverted—by the general character of the opposing arguments which have been advanced against the measure. It is denounced as “novel,” “extravagant,” and “revolutionary,” and of course the time-honored objection that it is “unconstitutional” has not been omitted. Some gentlemen, notably from New York and Pennsylvania, are overwhelmed by surprise that a project so essentially visionary should be solemnly proposed in this presence. Their astonishment would demand more serious consideration if it were not so entirely absurd.

Mr. BOWMAN. Will the gentleman yield?

Mr. KENDALL. Yes.

Mr. BOWMAN. There are some Members from Pennsylvania who wholly approve of the measure.

Mr. KENDALL. I am gratified to be advised of that fact. I know there are degrees in glory.

Government aid in the construction and improvement of highways for the benefit of the people was a fixed policy of the Republic in its infancy, and that policy continued without interruption for more than 40 years. The earlier statesmen were not disturbed by the constitutional apprehensions which appear now to occasion such genuine concern, for they understood that the organic law of the land was ordained to promote, not to prevent, the general welfare. [Applause.] They remembered that that immortal document conferred upon the Congress authority to establish post roads and to regulate interstate commerce, and they had practical wisdom enough to know that those provisions would be meaningless unless the revenues of the Government were available to render them effective. There is a popular conviction, prevailing now for more than a hundred years, that George Washington, who presided with his accustomed dignity over the deliberations of the Constitutional Convention, possessed some knowledge of the limitations upon the legislative power which the patriots who composed that convention intended to establish. It is encouraging to discover that the first President in his first message enjoined upon the Congress the propriety and duty of national road building. He said:

I can not forbear intimating to you the expediency of facilitating intercourse between distant parts of our country by a due attention to * * * post roads.

Two years later he returned to the subject and reenforced his recommendations as follows:

The importance of the post office and post roads on a plan sufficiently liberal and comprehensive as they respect the expedition, safety, and facility of communication is increased by their instrumentality in diffusing a knowledge of the laws and proceedings of the Government, which, while it contributes to the security of the people, serves also to guard them against the effects of misrepresentation and misconception.

Every lawyer of reputation entertains profound reverence for the constitutional opinions of James Madison, and in the third

message he transmitted to the Congress after his accession to the Presidency he said:

Among the means of advancing the public interests the occasion is a proper one for recalling the attention of Congress to the great importance of establishing throughout our country the roads and canals which can be best executed under the national authority. Whilst the States individually, with a laudable enterprise and emulation, avail themselves of their local advantages by new roads * * * the General Government is the more urged to similar undertakings, requiring a national jurisdiction and national means, by the prospect of thus systematically completing so inestimable a work.

When Albert Gallatin was Secretary of the Treasury he was directed by resolution of the Senate “to prepare and report a plan for the application of such means as are within the power of Congress to the purposes of opening roads and making canals, which as objects of public improvement may require and deserve the aid of the Government.” In obedience to that direction Mr. Gallatin responded in 1808 as follows:

The early and efficient aid of the Federal Government is recommended by still more important considerations. Good roads and canals will shorten distances, facilitate commercial and personal intercourse, and unite by a still more intimate community of interests the most remote quarters of the United States. No other single operation within the power of government can more effectually tend to strengthen and perpetuate that union which secures external independence, domestic peace, and internal liberty.

In December, 1818, the House of Representatives requested John C. Calhoun, who was then Secretary of War, to submit a report on the subject of Government aid to public roads, and in the following January Mr. Calhoun advised the Congress as follows:

But in such great undertakings (i. e., judicious systems of roads and canals), so interesting in every point of view to the whole Union, the expense ought not to fall wholly on the portions of the country immediately interested. As the Government has a deep stake in them it ought, at least, to bear a proportional share of the expense of their construction.

Mr. FOWLER. May I ask the gentleman a question?

Mr. LANGLEY. Will the gentleman yield for a question?

Mr. KENDALL. I yield first to the gentleman from Illinois [Mr. FOWLER].

Mr. FOWLER. I suppose the gentleman indorses the statement, having referred to it. What is the gentleman's greatest reason for requiring the Nation to assist in building these roads?

Mr. KENDALL. My fundamental reason is that the domestic communities have conclusively demonstrated that it is not possible for them to establish suitable highways in the country.

Mr. FOWLER. The proposition is too big?

Mr. KENDALL. The proposition is too comprehensive for any local community to grapple with, and it is so important as to be of national concern. Now I yield to the gentleman from Kentucky.

Mr. LANGLEY. The gentleman from Illinois [Mr. FOWLER] in part anticipated the question I was going to ask. The gentleman from Iowa has evidently given considerable thought to this question and I am interested in the discussion of it. If I understood the gentleman, he has no doubt about the constitutional power of the Federal Government to cooperate with the local authorities in building public highways.

Mr. KENDALL. A little later I will refer to an opinion of the Supreme Court which completely disposes of all controversy.

Mr. CULOP. I understood the gentleman to say that the proposition of building good roads is too big for the community to enter into—that the undertaking is too heavy. Is that correct?

Mr. KENDALL. I meant that to apply particularly to the community in which I live. It may not be true in an older and richer State, like Indiana.

Mr. CULOP. Has the gentleman ever had occasion to examine the gravel-road law of Indiana?

Mr. KENDALL. Only in a cursory way.

Mr. CULOP. If the gentleman would examine it, he would find that any community is big enough to build its own roads.

Mr. KENDALL. You have there in Indiana all the materials necessary for good road construction. All the communities in the United States are not so favored.

Mr. CULOP. We do not have the materials scattered all over Indiana. We sometimes ship the material as far as 150 miles.

Mr. KENDALL. You have the material where it is practically available for use by all sections of the State.

Mr. CULOP. I think not more so than in the State of Iowa. They have gravel beds there also.

Mr. KENDALL. “Of all that is good Iowa affords the best.”

Mr. CULOP. Except Indiana. Our plan is to build the roads by the sale of bonds, 10 per cent of the principal falling due each year, so that they are 10 years paying for the road. The townships vote on the question. In other words, they pass

on the question by the initiative and referendum. Fifty taxpayers petition the board of county commissioners to call an election.

Mr. KENDALL. I understand how they proceed.

Mr. CULLOP. The board of county commissioners pass upon the petition, and then they refer it back to the voters of that township. If it carries, they have the surveys made, the estimate of cost, and let the contracts, and then they sell the bonds. The county sells the bonds, but the entire property of the township is taxed to pay the bonds, and the interest and 10 per cent of the principal is paid each year. The plan is not excelled by any State in the Union, and under it we have built more and better roads than any other State. By adopting the same method other States could do the same thing.

Mr. KENDALL. Whatever the system you have adopted in Indiana, it has resulted in securing good highways.

Mr. CULLOP. Any State can build its own gravel roads under the plan adopted by Indiana.

Mr. KENDALL. I do not assent to that proposition without qualification. But to resume my discussion where I was interrupted.

In one of his annual messages to the Congress President Monroe employed this language:

Great improvements may also be made by good roads, in proper directions, through the interior of the country. Much has been done by some of the States, but yet much remains to be done with a view to the Union.

John Quincy Adams, who was as wise as any in his day and generation, advised the Congress, in 1827, as to the projects then in construction or in contemplation:

Continuation of the national road from Cumberland to the tidewaters within the District of Columbia; continuation of the national road from Canton to Zanesville; location of the national road from Zanesville to Columbus; continuation of the national road to the seat of government in Missouri; post road from Baltimore to Philadelphia; a national road from Washington to Buffalo.

I refer to these authorities for the purpose of disposing of the objection that the measure here now does not have the warrant of constitutional authority. But the Supreme Court has vindicated the power of Congress in decisions which are not susceptible of misconstruction:

Congress has likewise the power, exercised early in this century by successive acts in the Cumberland or national road from the Potomac across the Alleghenies to the Ohio, to authorize the construction of a public highway connecting several States. (*Ducton v. North River Bridge Co.*, 153 U. S., 525-529; *Indiana v. United States*, 148 U. S., 148.)

I interpret that as an unequivocal expression of the final conclusion of the highest judicial tribunal upon this subject.

Mr. SAMUEL W. SMITH. Mr. Chairman, will the gentleman yield?

Mr. KENDALL. Certainly.

Mr. SAMUEL W. SMITH. If it is constitutional for the General Government to provide for rivers and harbors throughout the country, why is it not constitutional to provide for national highways?

Mr. KENDALL. The propositions appear to me to be exactly analogous. If we have authority to appropriate \$800,000,000, as I think has been done, for the improvement of the rivers and harbors of the country—and that is done for the purpose of facilitating transportation and accelerating communication—certainly we have authority under the same warrant to appropriate money to effectuate a similar purpose in the construction of highways.

Mr. LEVER. There is no difference of opinion, I think, as to the constitutional power of Congress to do this. It has been in the past a matter of expediency.

Mr. KENDALL. I gather from some suggestions advanced the other day that some gentlemen have very serious doubts about the constitutional power of Congress to divert money from the Public Treasury for this purpose. That is the reason I have devoted so much attention to the constitutional phases of the question.

An examination of the record will disclose that the Congress was not reluctant to exercise the power it admittedly possessed, and it did not hesitate to adopt the recommendations which I have reproduced. In 1811, 5 per cent of the net proceeds of the sales of public lands in Louisiana were transferred to that State for the building of roads and levees; in 1816, the same percentage of a similar fund to Indiana; in 1817, 4 per cent to Mississippi; in 1818, 2 per cent to Illinois; in 1819, 5 per cent to Alabama; in 1820, 5 per cent to Missouri; and in 1845, 5 per cent to Iowa. All for the same purpose. In the meantime the annual appropriations for the improvement of the Cumberland Road were continued. For the fiscal year 1819 over half a million dollars was donated, and on May 25, 1838, the last appropriation, amounting to \$150,000, was made.

In all more than \$8,000,000 was appropriated and applied to the improvement of the national highways, a sum vastly more embarrassing to the public revenues than than \$80,000,000 would be at the present day. So we are not to be restrained by any uncertainty as to the constitutional power of the Congress to employ the resources of the Government for the improvement of the avenues of domestic communication. First and last we have subsidized the transcontinental railroads of the country with 260,000,000 acres of the public domain, worth at this moment not less than \$30 per acre. I do not defend this donation, but everybody will agree that it has augmented the national wealth by many billions of dollars. Can it be doubted that, if the same generous policy were pursued in the construction and maintenance of public highways, the same beneficial and remunerative results would ensue. [Applause.]

Mr. FOWLER. Mr. Chairman, will the gentleman yield?

Mr. KENDALL. Certainly.

Mr. FOWLER. I desire to ask if the gentleman regards the constitutionality of such work as resting alone in the constitutional provision that Congress has the power to establish post offices and post roads?

Mr. KENDALL. Not exclusively.

Mr. FOWLER. I thought not.

Mr. KENDALL. It has the power to establish post offices and post roads, to regulate commerce between the States, and to provide for the general welfare.

Mr. FOWLER. And under those three provisions—

Mr. KENDALL. Certainly under one or the other of the provisions I have enumerated ample authority is contained for this appropriation.

Mr. FOWLER. Does the gentleman know of any other great improvement that could be inaugurated in America that would bring a greater and more lasting good to the masses of the people than the establishment of a good-roads system throughout the country?

Mr. KENDALL. I think there is none, and I think the position of our country is anomalous in this, that it is the only first-class power in the world that has not engaged in a systematic national improvement of its public highways. [Applause.]

The time to embark upon this reform is now. The platform adopted by the Republican national convention at Chicago in 1908 contained the following declaration:

We recognize the social and economical advantages of good country roads, more and more largely at public expense and less and less at the expense of abutting property owners.

The platform adopted by the Democratic national convention at Denver, 1908, announced a similar doctrine in the following language:

We favor Federal aid to State and local authorities in the construction and maintenance of post roads.

Thus it will be observed that each of the great political organizations of the country has expressed approval of the appropriation of public money to the improvement of the highways of the United States. As the subject is in no sense sectional, so equally it is in no degree partisan. There have been introduced into this House 39 bills, some by Republicans and some by Democrats, some from the North and some from the South, to effectuate the common purpose contemplated in the foregoing platforms; and while these measures are different in detail, they are identical in the results attempted to be accomplished. More than 50 Members of this body, who have devoted industrious examination to the questions involved, have cooperated to prepare a proposition upon which all could unite, and the pending amendment is the compromise product of their intelligent labors.

The advantages of better roads can not be overestimated. Let me read you:

No one thing can do so much to offset the tendency toward an unhealthy drain from the country into the city as the making and keeping of good roads. They are needed for the sake of their effect upon the industrial conditions of the country districts, and I am almost tempted to say that they are needed more for their effect upon the social conditions of the country. If winter means for the average farmer the existence of a long line of liquid morasses through which he has to move his goods if bent on business, or to wade or swim if bent on pleasure; if a little heavy weather means the stoppage of all communications, not only with the industrial centers but with the neighbors, then you must expect that there will be a great many young people of both sexes who will not find farm life attractive.

That is the language of Theodore Roosevelt, one of the most eminent publicists of this age. [Applause.]

Mr. FOWLER. Mr. Chairman, I desire to ask the gentleman in that connection if he would couple with the industrial and social uplift also the uplift of education throughout the country?

Mr. KENDALL. Of course. The far-reaching effects of the betterment of the highways of the country can not be confined within a single description.

Our country is the richest in the world in agriculture, manufacturing, and mining, but our popular thoroughfares are the most inferior. [Applause.] I have heard it asserted without contradiction that it costs as much to convey a bushel of grain 5 miles over the country roads of Iowa as it does to transport it by rail 1,200 miles to the seaboard. The expense of marketing farm products is 23 cents per ton per mile in the United States, while only 7 cents per ton per mile in France and 9 cents per ton per mile in Germany. It costs more to haul a load of corn over an average country highway 10 miles than it does to ship the corn by water from New York to Liverpool.

Mr. SAMUEL W. SMITH. Mr. Chairman, may I ask the gentleman a question for information?

Mr. KENDALL. I doubt whether I can afford the gentleman any information, but I cheerfully yield to him.

Mr. SAMUEL W. SMITH. Oh, yes; the gentleman can. What countries in the world have the finest national highways?

Mr. KENDALL. I suppose it will be conceded that France has as good as any.

Mr. SAMUEL W. SMITH. I would like to ask the gentleman if France did begin to build public highways earlier in her history than we, if we began now?

Mr. KENDALL. That has been the consistent history of France for more than 150 years, I think. That country has expended fabulous sums upon the improvement of her public highways. Napoleon, in one of his marvelous tributes to agriculture, referred to the necessity of suitable means of communication between the farm and the town.

Mr. LEVER. And the gentleman might add in that connection that the cost of transportation per ton per mile in France is about 7 cents.

Mr. KENDALL. I have said so. If we are looking for precedents in history, we have only to advert to Rome and to Greece, down from the ancient days to medieval times, and we would discover that good roads have always accompanied the highest degree of civilization. Good roads indicate enlightenment and bad roads evidence barbarism everywhere.

I have referred to the cost of marketing farm products. If I have stated the facts, and I believe they can not be controverted, the enormous capital wasted each year by the farmers of the United States because of bad roads is scarcely comprehensible. We are annually devoting \$50,000,000 to the compensation of common carriers for the transportation of mail from coast to coast and from Lakes to Gulf. Surely we can afford to appropriate the modest sum provided in this amendment to the improvement of the public highways of the country. [Applause.] There are, in round numbers, 850,000,000 acres of land, improved and unimproved, in the United States. Substantially one-half of this land is in cultivation, and by the establishment of a suitable system of good roads it would be increased in value at least \$10 per acre.

Mr. BOWMAN. Before the gentleman leaves the question of economy in connection with the improvement of the roads over which the rural routes will pass, has the gentleman considered what the economy to the Government would be in securing lower rates for the passage of mail over these roads occasioned by the improvement of the roads?

Mr. KENDALL. I am frank to say I doubt if that would follow.

Mr. BOWMAN. I may say for the gentleman's information, I know how these bids are made up, based on the time required to go over a given road.

Mr. KENDALL. What general character of service is the gentleman referring to now? Certainly not the Rural Service?

Mr. BOWMAN. The character of the mail service over the rural routes. If the roads are made better the bids for carriage will be much less.

Mr. KENDALL. I do not understand that the carrier service will be subject to competitive bids. That is not the method in our country and ought not to be, I think.

Mr. BOWMAN. You are right, but the improvement of the roads which would result from the passage of this measure would reduce the cost of the Rural Delivery Service to the carrier and hence ultimately to the Government.

Mr. KENDALL. The carrier would, of course, experience less difficulty in covering his route.

Mr. KONOP. Star routes are let by competition.

Mr. KENDALL. If the gentleman refers to star routes, that is perhaps true, but they, I think, are a disappearing adjunct of our postal system.

If we are to attain the ultimate productive capacity possible to us, if we are to develop adequately all of our material resources, if we are to realize the most salutary conditions which are attainable, then good roads are an imperative neces-

sity. The prosperity of an enlightened people depends not more upon what it manufactures than upon what it extracts annually from the soil. Any departure, therefore, which will minimize the cost of transportation from farm to market will contribute immeasurably to the general welfare of the entire population. The farmer is the food producer for the world, and whatever will afford him the easiest and least expensive access to the consumer will promote the comfort and happiness of all. Good roads will result in better churches, better schools, better homes, and a better citizenship. They increase the attractiveness of rural life, and they operate to relieve the overcrowded conditions which disfigure the congested centers of population. [Applause.]

It is not assumed, of course, that the measure which is now under consideration by the House is the perfection of human wisdom on the subject of good-road construction in the United States. We are simply entering upon an experiment which may be continued indefinitely if profitable or abandoned summarily if unsatisfactory. We are devoting \$220,000,000 annually to our Army and Navy to render certain the discomfiture of any foe who may assail us. Surely we can apply one-tenth of that sum to our country highways to multiply the conveniences of our rural population. The appropriations which are contemplated are so modest as to be negligible when our almost inconceivable national wealth is considered, but I am for the bill as drafted because it does make an intelligent start in the direction of better roads. [Applause.]

Mr. SULZER. Mr. Chairman, I send to the Clerk's desk and ask to have read in my time a letter from Hon. Wilmer Atkinson, editor of the Farm Journal, which has one of the largest circulations among the people of our country of any periodical published in America.

The Clerk read as follows:

PHILADELPHIA, April 26, 1912.

HON. WILLIAM SULZER.

DEAR SIR: I beg to have your earnest consideration of the following: The Forty-seventh Congress established by law that "A publisher may mail sample copies of each issue at second-class rates." There was no limit placed upon the issue of sample copies, for it was believed then, as it is true now, that the circulation of the public press ought to be encouraged.

This law has never been repealed by Congress, but the Post Office Department adopted a rule annulling the law, first limiting the sample copies to one-half, and later cutting them down to 10 per cent of the regular issues.

Now, for the first time, it is seriously proposed by Congress to limit the issue of sample copies to accord with the department-made law of 10 per cent of regular issues. This now appears in Mr. DODDS's amendment to the Post Office appropriation bill in the House, in reference to publications "issued by benevolent or fraternal society orders or by trades-unions, strictly professional, literary, historic, or scientific societies," etc., as appears on page 5413 of the CONGRESSIONAL RECORD of April 22.

Clearly, all these classes of publications will justly complain of the 10 per cent restriction, and the inevitable next step will be to extend the limitation to all publications of every class. The amendment is thus an entering wedge for a reactionary measure.

Let me say in all earnestness that such a restriction is a monopoly breeder, and no better evidence of this can be afforded than that many of the old and firmly established publications are not unwilling to have the restriction made because new papers can not be as successfully established, except by those of large capital, without the same sample-copy privilege which built up the old-established papers, they want the field kept clear.

Personally, our paper, being long established, is not concerned in the matter; but every new paper started and to be started is and will be deeply interested.

It does not become the Sixty-third Congress, elected largely on the antimonopoly issue, thus to establish a monopoly breeder such as this.

I therefore appeal to you in the matter, and trust the appeal will not be in vain, feeling assured that it is more serious than you have thought.

A progressive and enlightened Republican Government ought to place no restrictions whatever upon the circulation of a free press, but, on the other hand, should encourage and foster it in every legitimate way.

The DODDS amendments ought to pass, with the 10 per cent restriction omitted.

Believe me, very truly, yours,

WILMER ATKINSON.

Mr. MOON of Tennessee. Mr. Chairman, I yield 20 minutes to the gentleman from Indiana [Mr. BARNHART].

Mr. BARNHART. Mr. Chairman, there are two amendments to the Post Office appropriation bill authorized by the special rule which we have adopted by an overwhelming majority vote that meet my enthusiastic approval and support. One is the Shackelford amendment, which provides Government aid and encouragement to better rural-route roads of the United States. Of this I shall say only a few words, for I know others are prepared to discuss it more fully and intelligently than I. But I do want to here proclaim my support of this plan for several reasons. It will encourage good road building and good road maintenance. It will broadcast Government aid into most important public benefit to every generally populated section of the country. It will help farmers everywhere to the better roads to their markets, which they deserve. It will return some of the revenues which country people pay into the National

Treasury to their direct and substantial benefit. It will compel the city man who uses country roads to help pay the expenses of keeping them in repair. And it will prove to the country that this Congress is willing to take a step in the direction of helping the millions who help themselves rather than spend all of its income from the people in preparations for wars that we all hope may never come, in rivers and harbors that directly benefit only a comparatively few, and in other avenues of endeavor that make for national glory rather than common weal. So much for that.

Now, Mr. Chairman, I come to that feature of the bill which I consider vastly more important than any consideration that the House will have in connection therewith. It is the amendment which I shall offer relative to the publication of the names of the editors or owners or stockholders or security holders of the newspapers and periodicals of the country before they can be admitted to the United States mail under second-class privileges. And just here I want to read you the amendment to the amendment which I am going to offer.

That it shall be unlawful for any person, association, or corporation to enter or deposit, or to have entered or deposited, into the mails of the United States any newspaper, magazine, or other periodical publication of like kind, unless such publication shall have plainly printed in a conspicuous place therein the name or names of the managing editor or managing editors, the name or names of the publisher or publishers, and the name or names of the owner or owners, including the name or names of the owner or owners of stock, bonds, or other securities to the amount of \$500 or more, which have been issued or sold by the said person, association, or corporation owning or controlling such publication, and which may be outstanding. Also all editorial or other reading matter published in any circulating periodical for which money or other consideration is accepted by the publisher or publishers shall be plainly marked "advertisement" or be signed by the name or names of the person or persons in whose interest or interests such article is published. Any person, association, or corporation that shall so enter or deposit or have entered or deposited in the mails of the United States any such newspaper, magazine, or periodical publication of like kind in violation of the foregoing provisions shall be guilty of a misdemeanor and be fined in any sum not less than \$100 nor more than \$1,000 for each offense.

Mr. SAMUEL W. SMITH. May I ask the gentleman why limit the amount to \$500? Why not publish the name of every stockholder?

Mr. BARNHART. I had it so in my original amendment, but the Committee on Rules was led, and probably justly so, to believe that some newspaper publications have large amounts of stock owned by many small stockholders in 5, 10, 20, and up to a few hundred dollar amounts, as in communities where the public wanted to establish a newspaper by stock-company method, and in such instances it might be a great burden to the publication, on account of space necessary, to have such a great list of names published every issue. I do not think there is special merit in it, but inasmuch as it is reported this way I must confine myself to the amendment or it will be subject to a point of order. It is due both to honest journalism and to the public.

Mr. ALLEN. Will the gentleman yield?

Mr. BARNHART. I will.

Mr. ALLEN. I am in hearty sympathy with the spirit of the amendment, but it is contemplated, as I understand it, by this amendment that in the daily newspapers this publication is to be made daily?

Mr. BARNHART. It is.

Mr. ALLEN. Would the gentleman be willing to agree to an amendment that would make the publication weekly instead of daily, as it seems that would answer every purpose that the law which the gentleman seeks to enact would accomplish?

Mr. BARNHART. I thank the gentleman from Ohio for his interrogatory. I believe that the purpose of this amendment, and I know, in fact, that is my intention and the intention of those who are interested in it, to lay conveniently before every reader of every newspaper or periodical or publication of any kind ready reference as to its ownership and what probably inspires its editorial policy. Of course it would be a vast improvement over what we now have to have this information published weekly, and I concede that to some newspaper publications it may be a burden to publish oftener, but I submit to you that in nonpareil you can publish from 40 to 60 names to the column inch, and there are not very many newspapers in the country that would have enough names of owners to take up any considerable amount of space, because you can readily see that several hundred names can be put in a space of a few inches.

Now, then, in further answer to the gentleman from Ohio [Mr. ALLEN], the purpose of the amendment, as I said, is to enable the reading public everywhere to know the inspiration for the editorial sentiment which they are reading. And I am inclined to believe, in fact I will say, that I would not oppose such an amendment, and if the House decides to adopt it, it will be all right with me.

Mr. MANN. Will the gentleman yield to me?

Mr. BARNHART. I will; but I have only 20 minutes to present some important things which I wish to say.

Mr. MANN. Then I do not wish to take the gentleman's time if he has only 20 minutes. I will try to get the information later.

Mr. BARNHART. I may be able to get an extension of time. This amendment, I hope, will explain itself fully, for I put it in the plainest English at my command. It means that hereafter all periodical publications, of whatsoever kind, shall carry the names of editors, publishers, and owners, including all holders of securities therein, printed on a conspicuous page, in every issue, before the same can be lawfully admitted to the mails for circulation, and that violators of the act shall be fined for each offense not less than \$100 nor more than \$1,000.

Journalism of to-day is too largely under unjust suspicion of being controlled by evil influences, and this is but the result of many newspapers and magazines parading in such a way as to make themselves appear to be anonymous publications. This, in the very nature of things, not only invites question of their editorial motives, by reason of their veiled management, but it subjects the press generally to the unfair aspersion that corrupt or selfish interests dominate the editorial sentiment of the day.

And there is just cause for apprehension that some publications "cover up" their real purposes. For instance, I recall that a few years ago a street railway magnate secured majority ownership in two leading newspapers in a great western city, and thereby created disastrous public opinion and scandalized journalism. These papers, under this management, attempted to make and unmake city officials in the interest of the owner's railway investments rather than in the interest of public welfare. And they succeeded to such an extent that the design to mislead public opinion for the profit of the mercenary owner was accomplished, and then he threw off the mask and sold his newspaper holdings in an open transaction. Of course the public was amazed that it had been taking its inspiration from editorials dictated by the very interest that wanted a more profitable franchise and got it, but the horse was then already stolen and locking the door was a lost cause.

Charges are frequently heard that other big publications of the country are not infrequently under influences like I have just cited, and if these be true the public should know it before it is too late, and if not the editors and owners should have the benefit of the vindication which the publicity of ownership and editorship would give them. We have seen or heard of instances in many cities in our country where corrupt politicians or corrupt business interests have had proprietary and editorial control of the molds of public opinion. And we know that many editorials have large influence for evil which would be harmless if the real authorship were fully known to those who read them.

Mr. LEVER. Would the gentleman in that connection object to being a little more specific as to the charges suggested and name some of the papers?

Mr. BARNHART. On account of my loyalty to editorial ethics I hesitate to charge anything specific, but I might say to the gentleman that I refer especially to the fact that all of us have been hearing rumors for years, and especially of late, that so-called "big business" of the country is controlling newspapers and magazines. There are rumors afloat, as all of you have doubtless heard, for instance, that the Harvester Trust, an admitted bane of commercial freedom, is one of them and controls certain New York and other big city publications. I hear it controls a certain Chicago publication.

Mr. MANN. I want to say that I do not think the gentleman knows it.

Mr. BARNHART. I will ask the gentleman from Illinois [Mr. MANN] if the McCormicks do not own the Chicago Tribune?

Mr. MANN. Not the same McCormicks that are interested in the Harvester Co.

Mr. BARNHART. Are they not of the same family?

Mr. MANN. Not the same family.

Mr. BARNHART. My information has been, and is now, that members of the same family that is the principal stockholder in the International Harvester Trust controls the Chicago Tribune. If that is not true I stand corrected, as I want to be eminently fair.

Mr. MANN. That certainly is not true.

Mr. BARNHART. It is also reported that Mr. Perkins, the head of the Harvester Trust and owner of Steel Trust stock, owns the New York Mail and other publications as "silent partner." That is, such newspapers have issued bonds and Mr. Perkins holds the majority of those bonds and dictates the policy of the publications on behalf of the trusts in which he is

interested and in behalf of an alleged reform candidate for the Presidency of the United States.

And it is also a matter of common rumor that many other metropolitan publications are owned and controlled by corporate interests and conducted on selfish lines the ownership of which is unknown to the reading public.

This is a baneful condition which, in justice to honest journalism and a deserving public, ought to be corrected. If there be circulating mediums which bear false witness, let the public know of their inspiration. If there be editors who sell their souls for a mess of pottage, their identity should be known. And if there be newspapers or other periodicals published to promote corrupt practices or prey upon the credulity of the people by covertly upholding avarice and greed, let the light of publicity shine fully upon them.

This amendment, if enacted into law, will not cost the people anything, but will conserve honesty and public confidence in one of the greatest educational factors in the world. I would not lay one straw in the way of full and free discussion by the public prints. Instead, I would encourage earnest and responsible discussion of men and measures pertaining to public affairs. But I would have the reading public know who it is and what it is that fills editorial columns, and when this is known the reliability of the editorial opinion disseminated may be easily and safely measured.

It is one of the principles of journalism, taught in every editorial den in the country, that the first thing a newspaper man ought to learn is that he should be fair even in reporting a dog fight.

But newspaper reporters, who work day and night, are not always permitted to write what they find. Instead, they are told by some newspaper owner how to frame their news articles to help him or his friends. I believe every newspaper man ought to be fair and just and out in the open. Why, not long since, after the death of a dog, one of the most faithful and companionable with which I ever associated, I wrote a newspaper tribute to his memory and published it over my own signature.

Mr. LANGLEY. Will the gentleman yield for a request?

Mr. BARNHART. Briefly.

Mr. LANGLEY. The gentleman refers to an article on the subject of dogs. I am very much interested in all literature of that kind, particularly since we have the dog tax down in Kentucky, and I would like to ask unanimous consent that the article to which the gentleman refers may be printed in the Record as a part of his remarks.

Mr. BARNHART. I do not object to doing so, as dog literature seems to be quite popular these days, especially "houn dawg" classics, and I will insert the same at the conclusion of my remarks. [Applause.]

But, returning to my subject, it is my profound conviction that notwithstanding the unflinching charm of the living voice in the pulpit or in the school the most useful man in the community is the good editor. The printed page is ephemeral. Yesterday's book logic or sermon may be already forgotten, but the journal of publicity has the cumulative effect from repetition day after day, week after week, or month after month. It reaches a wider circle than can be brought within sound of the living voice. And just at this age of the world, when the individual instructor is doing so well that he is momentarily at a loss what to do next, the circulating periodical should be building up public confidence in the efforts of men toward better things, rather than prostituting its high calling to harmful or mercenary ends. I pity the man at the head of a newspaper who does not feel the absorbing sense of honesty and responsibility as he thinks for the people, few or many, who read his words. But there is here and there one of such discrediting his high calling, and his contemporaries are all more or less compromised by an impostor in their ranks.

Right here, however, I want to protest against the indiscriminate censure of newspapers as such. Editors are only men, and like preachers and teachers and lawyers and doctors and other people, they sometimes make mistakes or fall short of the demands of the occasion. They may not always interpret duty aright in emergencies, for decisions must often be made hastily in order to meet prompt publicity demands; and they may not interpret duty as this or that impulsive enthusiast or guilt-laden culprit would decree. They may sometimes adopt what seem to be questionable methods of arriving at effective discharge of duty, and they may even insist that "vinegar never catches flies," and that men and communities are led rather than driven to right conclusions. But if left to their own sense of duty, untrammelled by dictation based on selfish design, they will not go far wrong, for they know better than the unsophisticated that the newspaper which panders to vice or cor-

ruption is a despised deserter in the face of high public duty, while the one that puts conscience above the cash register builds mightily for substantial triumph; and as between disgrace and success, the great majority of men strive for the latter if environment will only permit. [Applause.]

The best editors who ever lived and wielded pens in this country have been unjustly and harshly criticized. But that is only in accordance with common human nature.

Mr. COX of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BARNHART. For a brief question I will.

Mr. COX of Ohio. I am in sympathy with the gentleman's amendment, and as a newspaper man myself I would like to submit the question whether or not there is not full propriety in the public being critical of newspaper editors, because in large part the editorial writer gives most of his time to criticizing things himself?

Mr. BARNHART. Assuredly so; and therefore, while the good editor will never be free from criticism, but can be made free from unjust accusations of being controlled by corrupt proprietary interests if this law is enacted, and the bad editor will be exposed to public view by the same process of publicity, it can not reasonably be expected that the enactment of this bill into law will be a cure-all for the evils that beset journalism. But I do believe that it will shield the great army of honest publicists from unjust suspicion which occasional impostors in the editorial profession induce; it will protect the reading public from deception by covert agencies of evil; and it will put journalism on the high plane of reliability and respectability which it ought to occupy as the greatest educational benefactor in the world.

Someone has said:

Give me the religious training of a child until it is 12 years of age and my doctrine will be its faith forever.

Show me the teachings of the home or generally read newspaper of any land and I will read therefrom the general policy of that people as accurately as though it were written on tables of stone. Hence if we would have wholesome public sentiment we must have circulating literature free from defilement, and I insist that it is hazardous to trust this requisite of well-being to anonymous journalism possibilities, that are sure to invite dark-lantern adventurers.

The editorial profession wants to stand up clean-handed and fair-minded and look full responsibility squarely in the face, but it can not do so efficiently with a veiled character assassin or a disguised agent of pelf here and there discrediting journalism by betraying public confidence. For this reason, Mr. Chairman, I believe that every honest editor and every deserving periodical reader in our country will approve this method of compelling all editors and publishers to stand out in the broad sunlight of day. The reading public which pays for editorial enlightenment is entitled to know who's who in journalism before it decides what's what. [Applause.]

FAREWELL TO "BOB."

EDITOR ROCHESTER SENTINEL:

A message from home to-day stating that old "Bob," deaf and decrepit, but the family pet and pride and protector for 15 years, had died halted interest in all else with me save memory of the past; and, while he was only a fox terrier dog, no affair of state, nor burst of congressional eloquence, nor dream of future glory attracts my attention, and I think and think and think.

"You were just a dog, 'Bob,' but you were a 'thoroughbred' in your class; and if there ever was a faithful, alert, trustworthy, loyal, mind-your-own-business, self-respecting, gentleman dog, you were this illustrious 'dogality.' From the evening you came from Chicago a plump, little puppy to the hour of your death, the result of paralysis, superinduced by fighting two intruding Peru mongrels at the same time, you were the trusted watchman of our home, the devoted 'pal' of the children, and my rollicking 'chum.' You could do stunts like the boys on land, in air, or in water; you showed many a pesky rat and prowling cat that life was not worth living; and the body scars you carried to your grave were so many badges of honor, for you never showed fear and never fought a dog smaller than yourself. No boy ever 'soaked' you or one of your young masters and 'got away with it' without being dog bitten; no man ever violently attacked you who didn't cry. 'Call off your dog'; and no one ever approached your home at an unseemly hour or in uncommon manner except to hear warning of your strenuous vigil or meet you face to face on the danger line of intrusion. Of course you occasionally erred in judgment. As I remember, you frightened Joe King into short growth, and you bit Uncle Adam Mow and Mike Henry and Huston Black and numerous other good men who called on friendly mission and found only you at home, and you were not sociable with other people. But your mistakes were due to your loyalty to me and mine, and I'm homesick and heartsick in sorrow because I must bid you, game and companionable old fellow, this everlasting farewell. No friend ever stood with us so firmly and so unselfishly as you, and all you asked in return was to have the door opened 40 or 50 times a day that you might rush out and chase roving curs away and an occasional bone or some crumbs from the table.

"And so your memory shall be cherished with us as long as time lasts. Your constancy, your self-denial, and your admirable activity in the everyday affairs of the youth about you, as they grew from childhood to man's estate, have been a help to me beyond expression, and if any fellow citizen ever mistakenly or maliciously classes me with your kind, I hope he may compare me with you, 'Bob.'"

HENRY A. BARNHART.

WASHINGTON, D. C., January 24, 1912.

Mr. MOON of Tennessee. Mr. Chairman, I yield 15 minutes to the gentleman from Kentucky [Mr. LANGLEY].

Mr. LANGLEY. Mr. Chairman, one of the daily papers of this city, namely, the Washington Times, contained an editorial recently on the Shackelford road bill entitled "Dirt-road statesmanship." In this editorial it charged that a "select company" of Members of this House, imbued with "dirt-road patriotism," have united in an attempt to raid the Treasury in order to secure their reelection to Congress. I plead guilty to being one of the "select company," so called, who have united with the gentleman from Missouri in promoting this measure. While I resent the imputation which the Times seeks to cast upon our motives, I have no objection to being called a "dirt-road patriot." Indeed, I thank the Times for its indictment. I was born and reared and still live in a dirt-road country. I have not traveled in all of the States of the Union, but I have seen enough of the country to convince me that the "dirt-road statesmen" are in a majority in this body. [Applause.] If all of them have nerve enough to stand by their "raisin'," there is no doubt about this measure passing by a large majority. [Applause.] As the gentleman from Missouri [Mr. SHACKLEFORD] intimated the other day, if this measure had been designed only to make automobile roads better, it would doubtless have been spared the satire of this great newspaper. [Applause.]

The editor evidently expected to cast ridicule upon the advocates of this measure, but I feel that he has really done us a great favor, and that he has signally honored the gentleman from Missouri [Mr. SHACKLEFORD], as he deserves to be honored. [Applause.]

I see the gentleman from Missouri is present. Sir, this is an opportunity I long have sought. [Laughter.] In the name of the great common people of this country I salute you, sir, as the "Grand Mogul of the Knights of the Dirt Road." [Laughter and applause.]

Mr. BOWMAN. Mr. Chairman, will the gentleman yield for a question?

Mr. LANGLEY. Not just now. Ours is the only real, royal, fraternal, patriotic organization in the world [applause], and to my brother sir knight and exalted ruler, let me say that Democrat though you are, I would rather serve under you as an humble doorkeeper in the temple of our noble order than to dwell in the tents of wickedness in Syracuse, Philadelphia, or Chicago. [Applause.]

Mr. BOWMAN. Is not one of the purposes of this bill to put the gentlemen of that class in a higher one—in the class of the macadam road and the telford road and the brick road?

Mr. LANGLEY. I hope it may do so.

Mr. Chairman, I am in favor of the Shackelford bill, and I am entirely willing to admit that one of the reasons that I am in favor of it is that I am acting in obedience to the wishes of a great majority of the people whom I represent. I know that when some of us, disregarding the advice of our leaders, dare to vote for measures that they oppose but that the people of our districts favor, we are twitted with the charge of demagoguery and of appealing to the "bleachers" and to the "crowds in the courthouse yards," and things of that kind. Such arguments as these, if they may be dignified by that term, have no terrors for me. I have heard so much of them lately and have heard the people express their resentment of them so frequently that I am sometimes almost inclined to believe that if some of our leaders had in the recent past resorted to them a little less and had been a little more responsive to some of the just demands of the people we might have had on this side of the Chamber a more respectable representation, in point of numbers, than we have to-day. [Applause.] And unless some of them heed the voice of the people a little more than they have been doing the country may be compelled to undergo, alarming as the prospect may be, the pangs of another Democratic national administration. I hope that such is not to be our fate, but how can we plain "dirt-road statesmen" on this side of the House help feeling discouraged over the outlook when our leaders are flying at each others throats?

What else can we expect but Democratic victory when Republicans like the gentleman from Kansas [Mr. CAMPBELL], who has been honored by the minority with a place upon the great Committee on Rules, will stand up here and harangue the House for half an hour with a tirade of unbridled bitterness and vituperation against one of the foremost citizens of the Republic—one of the great leaders of our party—who has been twice honored with the exalted position of head of the Nation and who has been lately given an overwhelming vote of confidence by the Republicans of such magnificent Republican Commonwealths as Kansas, Illinois, Pennsylvania, West Virginia, Maine, Oregon, and Nebraska? If there ever was any doubt as to the intent and probable political effect of the gentleman's utter-

ances, it was entirely dispelled by the prolonged applause on the Democratic side with which he was frequently greeted.

Mr. Chairman, I have only been a member of this House for a comparatively short time, and I hesitate to place myself in the attitude of seeking to criticize the course of Members who have served longer than I have or question what appears to be a long-established custom; but it seems to me that gentlemen are too prone, after they have gotten the worst of it on the stump or in the press, to rush into this House and, taking advantage of their privileges as a Member, to burden the House and the country with their grievances. I do not believe that such a course is within the scope of our duty as Representatives, and I hope to see the day come when the practice will cease.

I have no part in the quarrel between the gentleman from Kansas [Mr. CAMPBELL] and the ex-President, as might be inferred from what I have said; nor in any other quarrel between Republicans. We have too many already. Neither have I arisen for the purpose of undertaking to defend the ex-President. He can attend to that himself. But, if I correctly recall the facts, the gentleman from Kansas began the controversy, and I can not see where he has any just cause of complaint against Col. Roosevelt for talking back at him. The gentleman from Kansas complains because Col. Roosevelt went out into his territory, where he says his political fortunes were at stake, for the purpose of assailing him. He apparently forgets that while Col. Roosevelt's political fortunes are national, his are only local. The gentleman was just as guilty of invading the territory where Col. Roosevelt's political fortunes were at stake when he went up into New Hampshire to attack him as the colonel was in making his reply in Kansas.

Mr. Chairman, there are thousands of men in my district who are just as loyal and just as patriotic Republicans as any who have ever set foot on the soil of Kansas, who believe in the integrity and patriotism of Theodore Roosevelt and who want him nominated for the Presidency [applause], and I feel that I would be recreant to my duty to them if I failed to answer what the gentleman has said.

Mr. CAMPBELL. What is the answer?

Mr. LANGLEY. If the gentleman will wait, I will touch upon that. I may say further, that there are still other thousands of Republicans in my district, of the same stalwart kind, who believe that the Republican Party owes President Taft an indorsement of his administration by a renomination for the Presidency; but I do not believe that there is a single one of them who would indulge in the character of criticism which the gentleman from Kansas [Mr. CAMPBELL] indulged in, nor do I believe that they would indorse it, from whatever source it might emanate.

The gentleman asks me what the answer is to what he said. I have not the time to go into that in detail, nor would I desire to do so if I had the time. I did not take the floor for that purpose. Lest what I have said may be misconstrued, let me say that I would be just as ready to defend our President or any other great leader of our party if he were assailed on this floor as Col. Roosevelt has been assailed by the gentleman from Kansas.

Mr. Chairman, I propose to heartily support the nominee of the Chicago convention, whoever he may be [applause on the Republican side], and I shall say nothing now or hereafter which would preclude me from doing so honorably. In view of what the gentleman said in his speech Monday, it may well be doubted whether he would support the nominee of the Chicago convention if that nominee should happen to be Col. Roosevelt. I may be mistaken about it; I hope I am. If the gentleman had not declined to yield when he had the floor, I should have asked him that question then. If he desires to make his position clear upon it now, I shall be glad to yield to him for that purpose.

Mr. CAMPBELL. I will make my position clear to the people of Kansas and to the people of my district. I think I owe nothing to the gentleman from Kentucky.

Mr. LANGLEY. I do not think the gentleman does, either; nor do I think he owed it to the House the other day to take its time for half an hour on a purely personal matter like that.

The gentleman complains because of the action of Col. Roosevelt, while he was President, in consenting to the merger of the Tennessee Coal & Iron Co. with the United States Steel Corporation. I believe the gentleman was a Republican Member of the House of Representatives at that time.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. LANGLEY. Mr. Chairman, I believe the gentleman from New Jersey was to yield me 15 minutes.

Mr. GARDNER of New Jersey. Mr. Chairman, when the gentleman concludes his discussion of a former President of

the United States and the political fortunes of the gentleman from Kansas [Mr. CAMPBELL] I will be glad to yield him 10 minutes in which to discuss this bill. [Laughter.]

Mr. LANGLEY. Mr. Chairman, if the gentleman objects to what I am saying and desires me to confine the balance of my discussion to the bill, very well.

Mr. GARDNER of New Jersey. Then I yield the gentleman 10 minutes more. [Renewed laughter.]

Mr. LANGLEY. Mr. Chairman, I will say—and I hope the gentleman from New Jersey will permit me under the limitation he has imposed in granting me additional time to say that much—that I had practically concluded all I had intended to say with reference to my friend from Kansas [Mr. CAMPBELL], except to ask him one or two questions about his course now and heretofore on this merger matter, but I will not, in view of what the gentleman from New Jersey has said. In passing from the subject I want to say that I have genuine admiration for the ability of the gentleman from Kansas, and ever since my first acquaintance with him I have always held him in the highest personal esteem. I regret, however, that he lost his temper the other day to such an extent as to say what he did here upon the floor.

Mr. CAMPBELL. Mr. Chairman, I beg leave to tell the gentleman that I did not lose my temper at all. I never was in better temper in my life. I simply gave dignified answer to a personal attack upon me in my own State by a man who knew that my political fortunes were at stake, as the gentleman from Kentucky says the ex-President's political fortunes are at stake in the country.

Mr. LANGLEY. Mr. Chairman, I am finding no fault with the gentleman for defending himself out in Kansas as much as he pleases, and I know that he is fully able to do it.

Now, Mr. Chairman, returning to the road question. I desire to say that while the Shackleford bill does not go as far as I would have it go I shall give it my support as being the best that can be accomplished in that direction now. I have never entertained any scruples as to the constitutionality of a measure which would appropriate directly out of the Federal Treasury money for the construction and improvement of public highways, and I would welcome the opportunity now to vote for such a measure. I believe, however, that the Shackleford bill, if enacted into law, will be the entering wedge to a more elaborate and effective plan of Federal aid, and I am glad to give it my support.

Mr. KENDALL. Mr. Chairman, will the gentleman yield?

Mr. LANGLEY. Certainly.

Mr. KENDALL. I want to ask the gentleman if he has estimated the amount of money that will be required to meet the appropriations under this bill for the first year?

Mr. LANGLEY. I have not gone into the matter in that detail; no. It will not be many millions, however. But I am not worried about that so long as we get good roads. They will yield to the farmers many times what they cost. Under the provisions of this bill the State of Kentucky will receive ultimately more than \$600,000 annually for this purpose, and I hope that every member of the Kentucky delegation will support it. If any of them do not, I shall be curious to hear the reasons for their action.

Upon what theory of constitutional government can those who support appropriations for the improvement of rivers and harbors, public buildings, and other internal improvements contend that aid in the construction of public highways is not within the scope of the power and duty of Congress? How can they contend that it is constitutional to make appropriations for these other purposes, and yet that it is not constitutional to appropriate money for the improvement of our public highways? [Applause.]

Mr. GARDNER of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. LANGLEY. If the gentleman will give me a little more time I shall be glad to yield, provided he will confine his question to this bill and not mix it up with politics. [Laughter.]

Mr. GARDNER of New Jersey. Mr. Chairman, since there seems to be applause when anyone asks why a distinction should be made as between our public highways and the rivers, I think it is time somebody called attention to the fact that the practical Federal ownership in the bed of the river has always been asserted. I think there is no phrase more familiar than that of Jefferson, because the dictionary writers have seen fit to adopt it as an illustration: "The bed of the Mississippi, therefore, belongs to the sovereign—the Nation." The gentleman should not attempt—

Mr. MOON of Tennessee. Mr. Chairman, is not the gentleman mistaken in his legal proposition? The bed of the river does not belong to the sovereign. It is the right of navigation.

Mr. KENDALL. Exclusively the right of navigation.

Mr. LANGLEY. Mr. Chairman, I decline to yield further.

Mr. GARDNER of New Jersey. That does not happen to be the fact.

Mr. MOON of Tennessee. The gentleman does not say that the title to the bed of the river is in the National Government.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, does the gentleman yield?

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from New York?

Mr. LANGLEY. If I had the time I would be very glad to, although the gentleman from New York declined to yield to me when he had the floor the other day.

Mr. MICHAEL E. DRISCOLL. My recollection is that I yielded to almost everybody, and there were several talking at the same time.

Mr. LANGLEY. But the gentleman overlooked me. So far as the point raised by the gentleman from New Jersey as to the distinction between the relations of the Government to rivers and other highways is concerned, I think, as stated by the gentleman from Tennessee, that whatever distinction there may be does not affect the constitutional question involved. The Government of course has jurisdiction over all navigable rivers, but it has taken that jurisdiction under the authority of the Constitution—the same authority under which it has the power to extend the aid which we are now asking for the improvement of our highways. If I had the time, I think I could cite abundant precedents in the decisions of the courts to sustain that statement; but I can not discuss that now. I have only a few minutes remaining, and I hope that gentlemen will refrain from interrupting me further.

Mr. Chairman, hundreds of millions of dollars have been expended for the improvement of our rivers, and it has now become the permanent policy of Congress to apply a portion of our annual revenues to that object. I am glad such a policy has been adopted, although I fail to see the wisdom or justice of applying these appropriations to the larger streams before the smaller ones are given any aid. If there is to be any discrimination in this regard, it seems to me that it should be in favor of the rivers which have the lesser volume of water and are therefore in greater need of improvement.

The same reasons which justify the Federal Government in the improvement of our waterways apply with equal force to the improvement of our public highways. Indeed, I think the latter proposition has a prior claim upon the Government, because those who live convenient to our rivers have adequate means of transportation without Federal aid for a considerable portion of the year—an advantage which is not possessed by the great bulk of residents in inland sections because of their distance from river and railroad transportation.

But, aside from all this, the question of good roads is inseparably linked with the great problem of transportation—a problem of the most vital importance at this time to the whole country, and especially to the Southland. In the near future the two oceans will be united by the Panama Canal. As a result of this the way will be opened to the Pacific and to the markets that lie beyond, where we expect to get a far greater share than we do now of the world's commerce. The magnificent resources of the South await that consummation, which will undoubtedly bring to her people a greater degree of development than has ever been known in her history, and we must prepare for this new outlet to the products of our fields and forests and mines and factories. The solving of the great problem of ocean transportation by the building of the canal will not remove the only obstacle in the way of the South receiving its full share of these advantages. We must not only improve our rivers, so that our products may be transported upon them all the year around, but it is equally important that proper means of transportation be provided for the inland sections if they are to receive their share of the advantages which their money aided in creating.

I do not begrudge the more than four hundred millions of the people's money that will have been devoted to the construction of the great canal, but I do say that unless we complete the chain of transportation by the adequate improvement of our rivers and our public highways leading to and from inland sections, we will not have done our duty, but by our inaction we will have deprived them of that to which they are justly entitled.

I can not understand how any gentleman, representing that magnificent territory drained by more than 20,000 miles of navigable rivers flowing through the South, and who are interested likewise in the development of the inland sections lying beyond them, can withhold his support from this measure.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LANGLEY. Just one more minute and I will close.

Mr. GARDNER of New Jersey. I yield two minutes additional to the gentleman.

Mr. LANGLEY. Mr. Chairman, I have heard gentlemen express the fear lately that there is a dangerous tendency in this country toward socialism and anarchy. I have such an abiding faith in the stalwart Americanism of our citizenship as to believe that they will never reach that degree of radicalism. What gentlemen mistake for such a tendency is merely the outcropping of the resentment which the masses of the people feel on account of the unequal distribution of the benefits of some of our national legislation. What these gentlemen need to fear is not the predominance of socialism and anarchy, but rather their own dethronement from power, so that there may be, not in name merely, but in fact and in truth, a real rule of the people. [Applause.]

Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from New York [Mr. AYRES].

Mr. AYRES. Mr. Chairman, together with the other Members of the committee, I have been greatly edified by the spectacle of the gentleman from Kentucky [Mr. LANGLEY] in his endeavor to wash some of the dirty linen of our opponents in public. We have set aside Monday for District day, Wednesday for Calendar Wednesday; now why would not it be a good idea to set aside Saturday morning during the rest of the campaign for laundry day? [Applause on the Democratic side.]

Mr. MANN. Does the gentleman need that much time?

Mr. AYRES. Well, some of you gentlemen might use it to advantage.

Mr. Chairman, pretty nearly every class of citizens in the United States seem to want to dip their hands in the Federal Treasury and pull them out with an appropriation sticking to them. One session it is the shipowners who want subsidies for sailing their ships and carrying their freight, and then next session it is little towns of two or three hundred population who want \$75,000 post-office buildings. If it is not one thing, it is another. Anybody who finds it hard to get a living wants a Government job, and anyone who finds that he can not accomplish any particular work he has in hand wants to turn it over to Uncle Sam to do for him. Last week I had a letter from a valued constituent, who said that it was no longer profitable to breed good horses in the State of New York now that betting on races was illegal, and if I wanted to immortalize my name I should at once introduce a bill to have the Federal Government breed horses on a large scale, so that horse lovers in the different States could have them cheap. Yesterday a telegram came from an enthusiast who thought that Uncle Sam should send enough revenue cutters or *Dreadnoughts* toward the Arctic regions to personally convoy each iceberg that got loose till it melted into the Gulf Stream, firing off blank cartridges during the night to warn off all ships in danger. In every part of this land of the free there are men or classes of men who do not want to do some kind of work they think ought to be done and so they want Uncle Sam to do it.

In many parts of our glorious country at the present time there are men or communities who have not good roads and who know they ought to have them, but they do not want to spend the money, and so—let Uncle Sam do it. And these communities get after their Congressmen and say, "We ought to have these roads, and if you are any good as Congressmen you will get them for us." And so the poor Congressmen, who know better all the time, come here and introduce bills and argue gravely that, having given the rural communities free postal carriers, it is now our duty to provide the roads for the carriers to travel on, or to keep them up. I tell you, gentlemen, it is not "conscience that doth make cowards of us all," but our constituents.

Fifteen years ago, when the Rural Free Delivery Service was proposed, it was talked of as a boon to the rural population, as a gift which would cost the rest of the country many millions. No one ever supposed the time would come when the country would be asked to pay for the privilege of making this annual gift.

What are the facts? For the fiscal year ending June 30, 1911, the Rural Delivery Service cost a little more than \$37,000,000 and the total postal revenue that originated on these routes was just over \$14,000,000. And now, what does this bill propose? That for the first year the United States shall pay for the privilege of using the roads the carriers travel on—\$25 a mile for one class of macadam roads, \$20 a mile for another class of roads, and \$15 a mile for another and poorer class. It was estimated by one of the gentlemen in favor of the bill that the cost the first year would be \$16,000,000. Now, the cost of constructing good macadam road varies from \$3,000 to \$15,000 per mile, according to the character of the soil, the

grades, and the thickness and width of stone surface. It might be safe to say that the average cost is \$5,000 per mile. The interest on an investment of that much is \$300 per year, and it costs at least that amount to keep a macadam road in repair.

Mr. MICHAEL E. DRISCOLL. Will the gentleman yield for a short interruption?

Mr. AYRES. If it is a short interruption; I have not much time.

Mr. MICHAEL E. DRISCOLL. I inquired about the cost of the road in our section of the country, built under the direction of the State, and I find the cost was \$11,800 a mile.

Mr. AYRES. That is the cost in the State of New York.

How many communities will be led to expend \$5,000 a mile in order to secure a yearly rental of \$25 a mile? We all know how these things go. If this bill should by any unfortunate chance become a law, the next year the gentlemen who now favor this bill would come in with an amendment asking \$50 a mile on macadam roads and argue gravely that even that would not be Uncle Sam's rightful share to pay. And the next year they would come in with another amendment asking that 50 per cent of the upkeep of these roads be given them by Congress. And then after this had been in operation awhile another amendment would be tacked on which would show that long usage proved that it was the duty of Congress to keep up these roads and that if any accident happened to a traveler on account of their imperfect condition he should have a right for damages. If this bill shall pass, in 15 years the Federal Government will be paying a hundred million dollars a year on account of it.

Advocates of this bill have argued that inasmuch as the Post Office Department paid for the use of the railroads that it should therefore pay for the use of rural post roads. But the department does not pay for the use of the railroad right of way or the use of the rails. It pays the railroads for a service performed, for transporting the mails over the rails and right of way. And it now pays the rural carriers for a similar service, the transporting the mails over the rural roads. If the railroads came here with a bill like this and asked \$15 per mile for any kind of rusty old track, and \$20 per mile for fairly good standard-gauge track, and \$25 a mile for first-class two-track road, and argued that if we paid them these bonuses it would be an incentive to them to improve their tracks, what gentlemen in this House would be the first to howl? If the department is to pay for keeping rural roads in shape, over which it is already paying to have the mails transported, just as it pays the railroads, why could not the superintendent of the Pennsylvania Railway come in here with equal justice and say, "We are thinking of putting in new ties and ballast between Philadelphia and Baltimore, and if you give us \$25 a mile we will do it."

Aside from being absolutely wrong in principle the bill is full of minor imperfections.

It does not even provide that the sums the department is to pay for the use of the roads shall be spent in keeping the roads in repair.

It provides that the Secretary of Agriculture shall decide what roads are to receive stated sums, which would make of the Agricultural Department a center of political favoritism.

It provides that the sums paid shall go into the keeping of officers in charge of roads. What would become of such payments in the case of toll roads? Would they go to road monopolies here and there?

We are all in favor of good roads. There is no more important subject before the American people to-day. But let us go at the problem in an honest and square fashion. Let each State that desires good roads build them for itself. That is good Democratic policy. We are awake to this matter in the State of New York, and we who live in that great State have just enough pride in our State to want to build our own roads. We do not ask your aid in our road building, and we do not want to pay for doing in any other State what it ought to do for itself. I commend to your consideration the following telegram from our State superintendent of highways, Hon. C. Gordon Reel:

Hon. STEVEN B. AYRES,

House of Representatives, Washington, D. C.:

Amount to be spent by State of New York, 1912 construction and maintenance, \$26,307,581. Letter follows.

C. GORDON REEL,

Superintendent of State Highways.

[Applause.]

Mr. Chairman, I yield back the balance of my time and ask unanimous consent to be allowed to extend my remarks with regard to the parcel post, and especially with regard to the international parcel post.

The CHAIRMAN. General leave has been already granted.

Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Chairman, if the gentleman from Kentucky [Mr. LANGLEY] was right, I am now proceeding to align myself with the minority of this House, but conscious of the rectitude of my position, entirely confident that it is not only rational, but soundly Democratic and soundly patriotic, I cheerfully take the hazard of such a position.

Mr. Chairman, I do not believe that there is a Member of this House who has a higher appreciation of the advantages of good roads than I have. Now and then for years I have shared humbly in the effort to arouse the people to a better understanding of the economic and social importance of good highways. I have worked and in a small way I have spent my own means in an effort to promote the good-roads movement. My interest in it can not be questioned.

I want to see the roads improved just as fast as the people who must pay for them can afford the expense of their construction.

I also want to see the best roads that can be built running through every neighborhood in each of the 48 States. This much it is proper to say, because an effort has been made—and, no doubt, will be made again—to create the impression that those who do not sympathize with this bill are against improved highways.

If the subdivisions of the Federal Government—the States and the counties—have any proper function whatever, it would seem to be the construction and maintenance of roads. If there is any reason for the existence of States and counties, certainly the maintenance of the means of transportation between counties and neighborhoods is an obligation, a responsibility, and one that should not be shunted off on the Federal Government.

This is a proposition to have the Federal Government assume those obligations.

Supporters of the measure seem to think that the Government of the United States is an association of individuals altogether different and apart from those who reside in their congressional districts. They seem to be under the impression that contributions from the Federal Treasury are not paid by the people themselves, but are drawn from some mysterious outside source or deposit. At least that is the impression that is sought to be made, that must be made if gentlemen are to reap the political advantage from this ill-considered measure that they have maneuvered for. I can not so understand it. I can not, to save me, separate the citizen who is a taxpayer in the counties and States from the citizen who pays taxes to the Federal Government. The vast expense of all our governments—National, State, and local—must be borne by the citizen. The question that should most concern him is an economical and wise administration of his public contributions. Whether it filters through the hands of Federal or State or local agents, he must pay, and what he ought to do is to see to it that his tax money goes to its allotted work with the least possible expense. Now, I believe that whatever is done through Federal agents is apt to be more expensively done than if handled by a local agent. I believe that when the public treasure is collected through a system of indirect taxation more is taken from the people than is absolutely necessary, and that is spent with less regard for their interests. That is one of the evils of the indirect or customs-tax system. People seem to think more of the dollars that they pay directly into the hands of the tax-gatherers than of the dollars that they pay by a concealed additional charge on the tobacco they use or the clothes they wear.

Pass this bill and customs taxes can never be reduced. All pretense of economy will be abandoned when a majority of this House says by its vote that they mean to commit the General Government to the policy of building highways, conducting a freight express business, and, ultimately, the ownership and operation of railways. It makes one skeptical as to the sincerity of those gentlemen who say they want a simpler and cheaper Government, but invariably vote for extravagances that compel higher and higher taxes.

I also oppose this measure because it is not needed to secure good roads. Where the people have the intelligence to understand their advantages and the energy to do something for themselves they are getting them.

Vast sums are now being spent for highway development. There is an enthusiastic and general movement in that direction which is most encouraging to every advocate of the policy of better highways. New York State, which great Commonwealth is too independent and proud to beg the Federal Government to do what she can do better for herself, and ought to do for herself, has, I understand, just finished the expenditure of

\$50,000,000 on her public roads and is about to undertake the further investment of fifty millions more in the extension of her highway system. Pennsylvania and other States have spent or are now spending proportionately large sums. It is, I am afraid, those States that are laggards in the discharge of their plain duty that are behind this measure. They seem to prefer mendicancy to independence.

I further oppose this bill because, in my opinion, it means increasing appropriations in the future by you, or by more complacent Members who will follow you here, and, finally, Federal jurisdiction over State roads. The tendency to concentrate power in the Federal Government is now almost resistless. Certainly we can not expect that the Federal power will not follow large Federal appropriations. Jefferson, who sought to magnify the importance of the States and to preserve local self-government, had the best of Hamilton in theory, but in practice, when associated with the temptation of large appropriations, it begins to appear that the latter will win. We are bartering away the dignity of the States and exchanging a great constitutional birthright for a Federal mess of pottage.

To me it appears perfectly plain that the States can not retain dignity and importance while they avoid all the responsibility of that position.

I also object to this bill because, although it will cost an enormous amount, it is wholly inadequate for the purposes for which it was designed. When you apply the maximum rental per mile to the whole of any particular rural postal delivery route it will not be discoverable. To spend \$25 per mile per year will be, in my judgment, sheer and inexcusable waste. It will cost the General Government dear, but is not enough to tempt any locality to the development of a better road system. It would be a mere suggestion to the local authorities to apply for more, and would, I feel sure, lead to a complete abandonment of local or State effort.

Mr. Chairman, that, to me, is one of the most deplorable features of this bill. I believe it will paralyze the good-roads movement. I believe that no State not yet equipped with an admirable and excellent system of highways will undertake to do anything for itself, can be inspired to do anything for itself, because, when they turn their eyes toward Washington, they will see gentlemen here clamoring for appropriations out of the Federal Treasury to do for them locally what the obligation in honor and decency rests upon them to do for themselves.

Mr. MADDEN. There is not anything in the bill requiring the \$25 to be expended on the roads.

Mr. SLAYDEN. Mr. Chairman, I regret to say I have not even time to answer the gentleman, as I am trying to get in the major portion of my speech in the time allowed.

It will take more than \$16,000,000 from the Federal Treasury the first year just for rental and would cost for the first inspection \$750,000 and as much as \$200,000 a year for each subsequent annual inspection.

Mr. Chairman, in that connection I submit a letter from the Director of the Office of Public Roads, a letter that I commend to the attention of the House. It is from the man of all men in the service of the Government who is best informed as to the consequences of the legislation that is proposed in this bill:

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF PUBLIC ROADS,
Washington, D. C., April 22, 1912.

HON. JAMES L. SLAYDEN,
United States House of Representatives.

MY DEAR MR. SLAYDEN: Replying to your letters of April 19 and 22, I am pleased to submit to you the following estimate, which I believe it is reasonable to suppose the Government might be called upon to pay out as rentals on the 1st day of July, 1914, for the use of roads over which rural mail is transported. Taking the figures given in your letter, namely, 1,007,772 miles of rural routes and 164,399 miles of star routes, I note a total of 1,172,171 miles over which rural mails are transported.

After very careful consideration, I estimate that 5 per cent of this mileage would fall in class A, 10 per cent in class B, 70 per cent in class C, and 15 per cent would not fall under any classification. The annual rental, then, would be approximately as follows:

58,600 miles at \$25 per mile.....	\$1,465,000
117,200 miles at \$20 per mile.....	2,344,000
820,500 miles at \$15 per mile.....	12,307,500
Total (996,300) miles.....	16,116,500

I notice that the only provision with respect to classification is that "Any question arising as to the proper classification of any road used for transporting rural mail shall be determined by the Secretary of Agriculture." It occurs to me that this language is broad enough to cover a complete classification of all of the road mileage involved.

In this connection I beg to call your attention to a statement which I gave the committee on April 6 with respect to the cost of classification:

"From my interpretation of the bill, it would make it mandatory on the Office of Public Roads to make a complete inspection the first year of all rural-delivery routes. If this is the case, we must assume that it would take an inspector at least as long to cover the delivery route as it does a rural carrier. There are now approximately 42,000 rural carriers, covering something over 1,000,000 miles of routes daily. It

therefore seems to me that an inspector should cover an average of 400 miles per month, taking into account inclement weather and other adverse conditions. This would mean that in a period of eight months, which would allow time to collate and digest the information obtained, about 300 inspectors would be sufficient to inspect the approximately million miles of rural routes. Their salaries would be approximately \$125 per month, and their expenses will be approximately \$5 per day, or \$150 per month.

"This would make a total estimate of \$660,000 for the eight-month period. Of course, to this estimate must be added an adequate amount for chief inspector, assistants, and general office expenses, which I estimate at \$50,000. It would probably not be far wrong to say that for the first year an appropriation of \$710,000 would be sufficient. It would seem reasonable that the expense of inspection and classification in subsequent years would not be over 25 per cent of the amount estimated for the first year, and I therefore suggest that it would require subsequent yearly appropriation of about \$180,000.

This statement was made on the supposition that there were 1,100,000 miles of rural free-delivery routes. With the increased mileage which you give us, it is easily seen that a complete classification of all the routes would call for an increase in expenditure over that shown in my statement to the committee. For the increased mileage which you have given us, I figure that the first classification would cost approximately \$750,000 and that subsequent classifications would cost about \$200,000 per annum.

Very respectfully,

L. W. PAGE, Director.

Why should they, they will say, with bad reasoning, I grant you; why should they take money out of their State treasury?

Mr. RUBEY. Will the gentleman yield?

Mr. SLAYDEN. I have not the time.

Why should they tax themselves on their land, they will say, overlooking the fact entirely that bills that are made in Washington they must also pay. Why should they tax themselves when they can send a Congressman to Washington who will devote his energies to getting appropriations out of the Federal Treasury, even though it may involve ultimately the abandonment of principles which they have stood for all their lives?

The CHAIRMAN. The time of the gentleman from Texas [Mr. SLAYDEN] has expired.

Mr. SLAYDEN. Just a word, to say that I will submit in connection with these remarks a letter from the Director of Public Roads that I commend to these gentlemen who want to know the facts that will embarrass them when they come out of this legislation. [Applause.]

Mr. MOON of Tennessee. Will the gentleman from New Jersey [Mr. GARDNER] use some of his time?

Mr. GARDNER of New Jersey. Mr. Chairman, I yield 30 minutes to the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. Mr. Chairman, although I am not going to discuss directly any of the provisions of the pending bill, I am going to discuss generally the use and abuse of the mail. It is perhaps an astounding fact, not generally recognized, that although we expended last year \$237,000,000 in conducting the mail service, yet by means of that service probably more than \$300,000,000 were transferred from the pockets of the industrious and honest people into the pockets of swindlers.

I have examined the report of the Chief Inspector of the Post Office Department in which, among other things, he says that the prosecutions under the statute against schemes to defraud by means of the Post Office establishment put out of business last year concerns which had obtained from the people during that year \$77,000,000. And he complains because of the number of cases that can not be brought within the existing law for the reason that it requires proof of intent to defraud so strong that it must be based upon the case of a pure swindle, a pure fake, and in many cases there are schemes that are really fraudulent, but which you can not bring by ordinary proofs within that rule.

He cites the case of the prosecution of some persons who were selling stock in a wireless telegraph concern—The United States v. Wilson—and he cites the decision of the court, from which I will print an extract in the RECORD for your information, in which the court comments upon the fact that there is a borderland or twilight zone, so to speak, between the cases that are now within the provisions of the penal code and those which really ought to be punishable. And the chief inspector concludes this discussion of the subject by suggesting that there ought to be additional legislation to reach that kind of cases.

There was an article, and I will have it inserted in the RECORD, printed in the paper called the Postmaster's Advocate, giving these matters in detail—giving the extent of the operations, and they are truly on a surprisingly big scale. And there is one thing about this swindling through the Post Office establishment that we must recognize as a peculiarity, and that is that the people who are swindled, and I think anyone will recognize the fact, keep silent. They would rather suffer the loss than say anything about it. In commenting upon that the newspaper says:

It may be estimated within reason that these fraud manipulations exceed \$150,000,000 annually. This enormous amount of money is taken from a class of people who can ill afford to lose it, being largely people on a salary, widows, orphans, school-teachers, ministers, and, in

many instances, persons connected with the Army enjoying positions of life tenure. One of the most peculiar features of the fraud business is the disinclination on the part of the public to make complaint. The average person would rather forget the investment of the money than to have his neighbor know he had been bunked.

As I have said, many of those who have given this matter careful consideration believe that the frauds exceed very largely the total cost of the mail service in a year.

Now, just as a sample of what is occurring daily, I took two of the local papers from my district, and I notice that one editorial says that the town needs a hotel very badly, and that if one-fourth of the money that had been sent away by the people of that town for oil-well schemes, or bogus gold, silver, and copper mining schemes, and drainage schemes in Florida and elsewhere, had been kept at home they could have built a first-class hotel, which they badly needed. The other paper said that three men in that town during the last few days had been taken in by some get-rich-quick swindle that would have enabled them to finance the proposed new brick yard. They had discovered very valuable brick clay in the vicinity of the town and they wanted to start that enterprise.

Now, these are only two samples of the items you see in the newspapers from every part of the country, and it shows the magnitude of these losses.

Now, there has been—in the Northwest, especially—a movement of great value in the last few years toward the development of the country. They have organized commercial clubs in nearly every town, looking out for all the things that go to advance and make progress in the country, such things as building good roads, opening up land, and getting more people to cultivate the land. These commercial clubs and societies of public-spirited men have organized development leagues, and they are all anxious to build up their own sections.

To do so requires capital, and yet, while they are striving to build up the country by misuse of the postal service, money more than sufficient to float all the necessary and proper development schemes is being taken away and put in the pockets of swindlers. There is under prosecution now in the southern district of New York one case that I understand involves the swindling of the public to the tune of seven or eight million dollars by men who bear the honored names of Quincy and Hawthorne, who have conducted their operations chiefly among the well-to-do and wealthy people.

The task of so framing a law as to minimize this evil is a difficult one. I notice that in some States they have statutes against false and fraudulent advertising. They have one section of that kind in the penal code of the State of New York, making it a crime to advertise any article of merchandise by means of advertisements that are calculated to mislead and which contain falsehoods.

Based upon that theory, I have framed a bill—I introduced it some time ago, and it is now pending—looking toward a prevention of this evil, so far as it is practicable. That bill is short and simple. I have, in an informal way, consulted many of the officers concerned in the investigation of these postal frauds, or schemes to defraud, and they all seem to think that my bill would cover the ground that seems not now covered by existing law. The bill is as follows:

That whoever shall offer for sale or attempt to sell or dispose of, or aid in selling or disposing of, any real property, article of merchandise, or any stocks or bonds or other securities of any corporation or association, to any person or persons by means of advertisements or announcements in any newspaper, periodical, circular letter, or other publication intended for circulation through and deposited in or carried in the United States mails, in which advertisements or announcements appear any willfully false assertions of fact calculated to mislead concerning the quality, situation, or value of such real property, the assets, property, prospects, or financial conditions of such corporation or association, or concerning the quality, value, or method of production of such merchandise, shall be fined—

And so forth.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Minnesota yield to the gentleman from Iowa?

Mr. STEENERSON. Certainly.

Mr. TOWNER. That is proposed to be made a penal law? The gentleman's bill is only penal in its nature.

Mr. STEENERSON. Certainly.

Mr. TOWNER. It does not provide that violations of it shall exclude persons from the use of the mail?

Mr. STEENERSON. Oh, no; it does not affect the mailability of a periodical or publication at all, but reaches the person who secures the advertisement and has it inserted and thereby offers or aids in selling real estate, securities, or merchandise by means of a false advertisement calculated to mislead.

Mr. TOWNER. It makes the fact of advertising publicly, falsely, a crime?

Mr. STEENERSON. Yes; and it is modeled, I may say, partly after the provision of the penal code of New York relat-

ing to merchandise, and extends it to real estate and stocks and bonds and securities, and of course connects it with Federal authority by means of prohibiting its circulation in the mail.

Now, I have already commented on the extent of these frauds, and the difficulty there is in their prosecution, and the fact that the prosecuting officers who have to do with this matter have asked and recommended additional legislation. I will insert the charge of the court in the Wilson case, which indicates that clearly. Here it is:

But the judgment will not serve the purpose it should serve if it be regarded merely as inflicting punishment on these defendants. It ought to reach far beyond them and serve as a warning to all those speculators and adventurers who pose as men of business and affairs and carry on their operations in the borderland between legitimate undertakings and criminal schemes. It should bring home to them that misappropriating other peoples' moneys is not distinguished from larceny by designating it as a great corporate enterprise; that inducing hundreds of men and women throughout the country to part with hundreds of thousands of dollars for worthless securities calls for condemnation just as much as cheating in the sale of a single musical instrument or picture frame; that, broadly, there is no merit in wholesale knavery over cheap tricks or in fraudulent schemes in disguise over barefaced swindles, and, furthermore, that neither swindlers of high degree nor cheats of low station can employ with impunity the mails of the United States in aid of their fraudulent schemes.

Mr. TOWNER. Mr. Chairman, I would like, if the gentleman will permit, to ask him another question.

Mr. STEENERSON. Surely.

Mr. TOWNER. Does not the gentleman believe that in cases of that kind there ought to be a provision of law prohibiting the use of the mails more completely than it is now reached by present legislation?

Mr. STEENERSON. I certainly think that these frauds should be stopped. It seems to me a sad commentary on the postal service when, according to the judgment of the best-informed people, more money is transferred from the pockets of the honest and industrious to the pockets of swindlers in one year by means of the mail than we pay for the whole postal service.

Mr. TOWNER. Does not the gentleman believe that an effective punishment and remedy would be to prohibit them from the use of the mails?

Mr. STEENERSON. Yes. But, of course, you can not do that without inflicting perhaps greater injury. The remedy might be worse than the disease. The nature of these swindles is such that we hear very little of them. I want to have this matter circulated as much as possible, and I want the public to be informed of what is going on. I certainly believe that if ever there was an emergency which would justify a rider on an appropriation bill the emergency that presents itself in regard to preventing swindling through the mails is such an emergency. But, of course, I hardly expect to get unanimous consent for the insertion of this penal provision on the appropriation bill. I want to bring it to the attention of the House because it is a matter of such great importance to the people.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Minnesota yield to the gentleman from New York?

Mr. STEENERSON. Certainly.

Mr. MICHAEL E. DRISCOLL. Is the gentleman able to prepare and propose an amendment to this law or bill which he thinks would succeed in substantially stopping this kind of fraud which he has described in the country?

Mr. STEENERSON. Yes; I think I am, and I think I prepared it rightly. I have submitted it, not formally, but in an informal way, to the Assistant Attorney General for the Post Office Department and the prosecuting officer in the Department of Justice who deals with such things, and they both approved of my bill. By reading the decision of the United States circuit court in the wireless-telegraph case of *United States v. Wilson* and the report of the chief inspector, it will be readily seen that some such legislation is needed.

It takes a good deal of assumption on the part of any Member of this House to ask Congress to adopt a provision of this kind without previous consideration. I do not want to do that, but I want to call the attention of the Members to it, and perhaps before this session is over they may become convinced that this legislation ought to be enacted. The bill that I propose is very simple, in few words, and that is the comment that has been passed upon it by all to whom I have submitted it. I believe we would render the American people a very great service by enacting such a law.

This is not a matter of a few ignorant people being swindled. The people who are victims of these false advertisements are the intelligent and the well-informed people of the country as well as the people in ordinary and perhaps humbler walks of life. The men who write these advertisements are the most skilled men in the art of advertising, and it is a fine art in itself. When

they are prosecuted and convicted, perhaps, in one field, they reappear in a new one. They have studied how to evade the law. If you talk with these inspectors who have gone into Mexico and South America to investigate bogus rubber plantations and bogus copper mines, you will find that they generally tell you that the same man who has started one of these schemes will reappear in an Alaska scheme or something of that kind. They have studied the criminal law more diligently than the prosecuting officers have ever studied it in order to find out how to write these advertisements and get around the law.

Mr. MICHAEL E. DRISCOLL. The gentleman, some time ago, spoke of a concern in New York that swindled the public out of seven or eight million dollars, and he referred to the names "Hawthorne" and "Quincy" in connection with that concern. I wish to ask him if that is the concern which advertised to the public that it could beat the New York Stock Exchange in buying and selling stock.

Mr. STEENERSON. I think that is the very identical one. I will say this, that they have not been tried. They have only been indicted as yet, so I would not like to specify their first names.

Mr. MICHAEL E. DRISCOLL. Is that the concern that sent out a booklet explaining and defending its position?

Mr. STEENERSON. Yes; I believe it did; and I believe it showed great literary ability to deceive the public. Can there be anything more discouraging and demoralizing to the young who seek to rise in the world by honest industry and fidelity than to see men, moving in the highest social circles, roll in millions of wealth filched from the confiding public by means of false and dishonest advertising carried by the Government in the mails?

The evil is a serious menace to our progress and prosperity, and has been constantly on the increase, and calls for the united efforts of all good citizens to suppress it as far as possible. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

The newspaper article is as follows:

POST OFFICE DEPARTMENT PROTECTS THE INTERESTS OF CITIZENS.

CRUSADE AGAINST THE GET-RICH-QUICK SCHEMES.

The result of a year's crusade against the get-rich-quick schemers, who have been using the United States mails in the consummation of their nefarious schemes, has developed a distinct line of new criminals in American life. In an interview given out by Postmaster General Hitchcock in New York some time ago, when one of the big raids was made, he stated that it was estimated that the American public has been swindled out of at least \$100,000,000 through illegitimate business channels during the past 10 years by the manipulations of this class of criminals. It develops as a result of the year's work that the Postmaster General was too modest in his statement.

The parties arrested during the past year by the officers of the Post Office Department, under Mr. Hitchcock's supervision, have obtained no less than \$77,000,000. The schemes which they employed covered every possible phase of industry and business life, from the sale of a simple fake article of a medical character to a prodigious mining scheme well figured out on paper and existing in the mind of the promoter without the semblance of fact upon which to base their alluring literature.

Mr. Hitchcock's crusade last year has been a distinct help to the commercial miners of the country. Mankind obtains his living and transacts his business as a result of the exchange of the commodities of the sea and of the land. Those trade relations are carried on by means of that which is secured from the bowels of the earth, and any transactions of a fraudulent character which destroy the faith and confidence of the American people in commercial mining affect the material medium of exchange.

DESTROYS CONFIDENCE.

As a result fake mining schemes and other fraudulent enterprises operating through the mails have practically destroyed the confidence of the American people in investments of that character. Many times a commercial miner or a legitimate prospector is unable to find the means of developing a prospect without being compelled to make enormous concessions of stock to promoters and selling agents and, in addition thereto, paying commissions of from 40 to 60 per cent for the sale or purchase of stock to be used in the development of the prospect.

The same conditions apply to the development of land schemes throughout the country, as well as various commercial enterprises, such as the sale of wireless telegraph and other electrical appliances, preying upon the credulity of the people for the purpose of making tremendous stock sales without the slightest intent to develop a legitimate business enterprise.

OBTAINED \$2,500,000 BY FRAUD.

One single fraud operator, or combination of operators, manipulating railroad bills of lading and acting as agents for insurance companies, was able to obtain \$2,500,000 from foreign cotton buyers, and at the same time destroyed the entire credit and confidence in the medium of realizing upon the offering of cotton in the market. All of this was done through bogus bills of lading sent through the medium of the United States mails.

These wealthy fraud artists, as a rule, invest their money in legitimate enterprises, and many of them consequently become promoters of banks, owners of manufacturing plants, and other wealthy and influential organizations. Because of their position and high station in life, it is a difficult matter to convict them, as their resources appear to be almost unlimited. However, during the past year over half a regiment of these promoters were taken into custody by the United States Government, their business annihilated, and nearly 200 of them, convicted within six months, are serving their terms in the penitentiary. Among this number are some 8 or 10 millionaires. The Atlanta Penitentiary contains a colony of bright geniuses whose minds, if directed in legitimate business channels, would add luster to the commercial world.

FRAUD-ORDER POLICY.

Heretofore it has been the policy of the Post Office Department to utilize what is known as the "fraud order," directing the postmasters to refuse to deliver mail addressed to these illegitimate institutions. The order must be applicable to some special organization or individual, and immediately upon the issuance of the order the enterprising schemer reorganizes the same scheme under a new name, uses with a slight change practically the same literature, retains his old mailing list, and is doing business, in many cases, at the old stand. In the Post Office Department the records show numbers of instances in which these operators have done business in a number of cities throughout the country and have reorganized the same companies 8 or 10 times.

This crusade, which has been so vigorously pursued, has resulted in scattering a large number of the small operators who became frightened at the attitude of the Post Office Department in prosecuting the large and influential organizations. The result has been that these smaller people have been driven out of business entirely, or they have changed their names, locating in other cities, taking their mailing lists with them, and attempting to do business within a space of two or three months, taking a chance on the Post Office Department officers being unable to detect them within that time.

FRAUD OPERATIONS ENORMOUS.

These fraud operations can hardly be estimated, they are so enormous. Some 2,000 complaints are received annually by the Post Office Department, but the limited corps of officers who are engaged in ferreting out these criminals enables the department to reach, even with a vigorous crusade, only some 500 of them per annum and attend to the other important routine business duties of the Postal Service. It may be estimated within reason that these fraud manipulations exceed \$150,000,000 annually. This enormous amount of money is taken from a class of people who can ill afford to lose it, being largely people on a salary, widows, orphans, school-teachers, ministers, and in many instances persons connected with the Army enjoying positions of life tenure. One of the most peculiar features of the fraud business is the disinclination on the part of the public to make complaint. The average person would rather forget the investment of the money than to have his neighbor know he had been bunkoed.

CREDIT TO THE PUBLIC PRESS.

To the public press must be given a tremendous amount of credit for enabling Mr. Hitchcock to accomplish what he has during the past year. The publicity of the methods employed by these shrewd schemers has opened the eyes of the American people to such an extent that the officers of the Post Office Department report hundreds of fraud operators closing their places of business and leaving for parts unknown.

By stamping out the Mabray gang during the past year the postal officers feel that one of the most gigantic and best-organized bands of swindlers has been broken up. This band of thieves and gamblers, headed by John C. Mabray, made a business of organizing and promoting fake horse races, wrestling, boxing, and other athletic tournaments all over the country. It is believed that they got no less than \$5,000,000 from the American public through such operations during the past few years.

The United Wireless was a typical stock scheme operating through the mails. About \$6,000,000 was obtained by the people operating that scheme through the fraudulent statements which they made to the public that every dollar of stock sold was treasury stock, when, as a matter of fact, an infinitesimal portion of the proceeds of the sale of stock reached the treasury of the company, practically all of it going into the pockets of the promoters. In this case the United Wireless Co. organized a selling agency, to whom it paid an enormous commission to sell this stock, and it developed that the major portion of the stock in the selling agency was also held by the promoters of the former company.

MEDICAL FAKES CAUSE TROUBLE.

That element of fraud which causes the Post Office Department the greatest trouble is the medical fakers, who use the mails to an enormous extent in their professions of curing every possible character of disease. This class of human buzzards is the most contemptible of all, for they prey upon the weak-minded women, the diseases of the crippled and invalid, and filch from them practically the last dollar they possess, in the hope that perhaps this widely and liberally advertised remedy may give relief. These are difficult cases to prove in court, by reason of the fact that these medical fakers resort to lawyers who are well versed in medical jurisprudence and advise them just how far they can go with impunity with their literature without violating the law.

CAMPAIGN WILL BE A VIGOROUS ONE.

Although the prosecution of these cases has become an enormous tax on the time and talent of the inspection force of the Post Office Department, the same vigorous policy will be pursued in the future as in the past. Postmaster General Hitchcock has recommended that the entire investigation of this class of criminals be handled by the Department of Justice, but so long as it remains the duty of the department to handle these cases the campaign will be a vigorous one. It is predicted that this will be an even greater year in the annihilation of fraud artists throughout the country than the year which has just closed.

It has been said that the State governments have been derelict in handling these cases with vigor and protecting their citizenship. In this connection it must be remembered that no single State has the judiciary machinery to successfully handle and convict these criminals, as in a medium-sized case from 30 to 60 witnesses must be subpoenaed from 10 to 12 different States of the Union. And, in addition to this, the costs of a single case against the stronger and more influential class will amount to from \$20,000 to \$55,000, while the smaller class of cases is equally expensive in proportion to the volume of business transacted.

DIFFICULTY OF PROVING INTENT TO DEFRAUD.

If the postal officers were simply required to prove the mailing of the literature, the Post Office Department could easily stamp every fraud operator in America out of business within the period of a year. Instead, the time and talent of inspectors is taken in proving the intent to defraud, which the law provides must be shown clearly to the jury's satisfaction before a conviction can be made. In the proving of the intent the entire scope and organization of the business must be taken into consideration; the plant, the mine, the alleged deal, the land, the plantation, or the alleged place of business must be thoroughly examined; the books of the institution must be gone over in order that the case might be made to clearly exemplify the full intent of the operator to defraud the public in the intent and conception of the scheme. There has not been a single case presented by the present administration of the Post Office Department to the courts in which the defendants did

not freely admit that the facts stated by them in their literature were in the main false and that the amounts of money received by them were procured as a result of their advertising. However, the inability of the Government to prove that it is the intent of the organizer or proprietor of the scheme to defraud the public in making such statements necessitates a charge to the jury for the dismissal of the case on the ground that a business man has a right within a reasonable limit to "puff" his business. In other words, it is difficult for the Government, under the present law requiring it to show the "intent" to defraud, to draw the line between absolute criminality and a business which is of a disreputable and questionable character, yet within the pale of the statute as interpreted by the Federal courts.

Mr. GARDNER of New Jersey. I yield to the gentleman from South Dakota [Mr. BURKE].

Mr. BURKE of South Dakota. Mr. Chairman, I am opposed on general principles to legislating through appropriation bills and think it unwise and a bad practice. I think it is much better that every legislative proposition have consideration in a separate bill, and am sure better legislation is secured in that manner. Here we have under consideration a bill making appropriations for the Post Office Department and a special rule presented that makes in order legislation not only proposed by the Committee on the Post Office and Post Roads, but propositions reported from the Committee on Interstate and Foreign Commerce and the Committee on Agriculture. While I have these views as to how legislation should be considered, I voted for the rule that makes in order upon the Post Office appropriation bill a number of provisions that otherwise would not be in order. I did so because I am in favor of several of the matters that will be presented and because I believed that unless the rule was adopted these propositions would not receive consideration during the present session. I am not going to discuss all the propositions that are contained in or that will be in order by reason of the rule. I will only discuss three of the matters that are presented, and those in a very brief manner. They are the parcel-post item, the taking over of the express companies by the Government, and the good-roads provision.

PARCEL POST.

I am in favor of a parcel-post service upon the rural routes, but not as proposed by this bill, which limits the service to the particular route where the package might be mailed. I shall favor an amendment providing that a package mailed on any route shall be carried to the town or city where the route originates and then transferred, to be carried to its destination upon any other rural route running from that point. Unless this is provided there is not much use in enacting anything; in other words, what is proposed by the bill would be far from satisfactory. The Postmaster General recommended that the service be provided for as I have suggested it ought to be, and I hope the House will vote to so amend the provision.

A rural parcel post such as I have indicated will be a great convenience and advantage to farmers and to people living in the country; it will also be of an advantage and convenience to merchants and others in the towns and cities. It will make it possible for the farmer to procure from the town articles of necessity by ordering same by telephone, and thus save a special trip. In almost every farming community to-day the rural telephone is general and nearly every farmhouse in well-settled communities is provided with a telephone. Such a parcel-post service as is contemplated, if we amend the provision as I have indicated, will not harm any merchant or person doing business in the towns, but, on the contrary, will be to their advantage.

The service could probably be conducted for a minimum charge of 5 cents, and for an 11-pound package, which is the weight limit for the international post, not to exceed 15 cents. Of course the question of definitely fixing the rate can only be determined after the service has been in operation for a time, and I want it understood that the rates I have proposed are only my opinion as to what the rates would probably be. Such a rural parcel-post service as I have proposed would produce considerable revenue, enabling the carriers to be paid additional compensation for the extra service, and thereby increase their salaries, which, considering what is required of them, are now too low. There would be some net revenue that would go to the Government, reducing to that extent the cost of operating the rural service, which now actually costs several millions of dollars annually. It is interesting to note the great growth of the Rural Free Delivery Service in the United States. It was first inaugurated about 15 years ago. In 1897 there was an appropriation made, and 82 routes were established, at a cost of less than \$15,000. The pending Post Office appropriation bill carries an item for this service of \$43,000,000, which means 43,000 routes and the same number of carriers. The estimated revenue from these routes now is less than \$10,000,000, so it will probably cost not less than \$30,000,000 to provide rural free delivery throughout the country for the coming fiscal year. No one questions the appropriation for this service,

and it will continue to increase until the service extends still more generally than it does at present.

There is a strong demand in the country for a general parcel post, and much has been said and printed upon it, and this debate has added much value to the subject. The demand for a general parcel post is due largely to a desire to get a cheaper rate of transportation for small parcels and packages than is now charged by the express companies, and many think that a general parcel-post service would solve the problem, assuming that the Government could carry packages at a rate much cheaper than is now charged by the express companies. It can not be claimed that the carrying of packages can be considered the same as the carrying of ordinary mail, such as letters, papers, magazines, and other periodicals. It is the duty of the Government to provide the facilities for the carrying and the delivery of such mail, even at a loss, but not so with packages. It is not the function of the Government to engage in business at a loss to benefit one section of the country against another, and so in considering any parcel-post service we must keep in mind that the rates of charges must be sufficient to equal the cost to the Government. The interest of the people, as I have already stated, is cheaper rates, and not so much how they are to be gotten.

We have pending at this time several propositions that are proposed as a solution of the question. The gentleman from New York [Mr. SULZER] has introduced a bill providing for a general parcel-post system. The bill is as follows:

That the common weight limit of the domestic postal service of the United States is hereby increased to 11 pounds, the common limit of the Universal Postal Union, and that in the general business of the post office the 1-cent-an-ounce rate on general merchandise—fourth-class mail matter—be, and is hereby, reduced to the third-class rate, 1 cent for each 2 ounces or fraction thereof.

That the rate on local letters or sealed parcels posted for delivery within the free-delivery services is hereby determined at 2 cents on parcels up to 4 ounces, 1 cent on each additional 2 ounces; at non-delivery offices, 1 cent for each 2 ounces.

That all mail matter collected and delivered within the different rural routes of the United States is hereby determined to be in one class with rates, door to door, between the different houses and places of business and the post office or post offices on each route as follows: On parcels up to one twenty-fourth of a cubic foot, or 1 by 6 by 12 inches in dimensions and up to 1 pound in weight, 1 cent; on larger parcels up to one-half a cubic foot, or 6 by 12 by 12 inches in dimensions and up to 11 pounds in weight, 5 cents; on larger parcels up to 1 cubic foot, 6 by 12 by 24 inches in dimensions and up to 25 pounds in weight, 10 cents. No parcel shall be over 6 feet in length, and in no case shall a carrier be obliged to transport a load of over 500 pounds.

That on all unregistered prepaid mail matter without declared value an indemnity up to \$10 shall be paid by the Post Office Department for such actual loss or damage as may occur through the fault of the postal service, and this without extra charge. Certificates of posting shall be provided on demand. On registered parcels of declared value, and on which the fee for registration, insurance, and postage has been duly prepaid, the Post Office Department shall pay the full value of any direct loss or damage that may occur through the fault of the postal service. The fees for insurance and registration shall be as follows: For registration and insurance up to \$50, 10 cents; for each additional \$50, 2 cents. No claim for compensation will be admitted if not presented within one year after the parcel is posted.

It will be seen that this proposition proposes a flat rate, and the question of distance is not taken into consideration, and I am of the opinion that it would be of little benefit and would not accomplish what is desired or what its advocates claim for it.

The gentleman from Minnesota [Mr. ANDERSON] has introduced a bill which provides for a general parcel-post service of packages not exceeding 11 pounds in weight and provides that the rate of postage shall be determined by the distance the package is to be carried. As between this bill and the Sulzer bill, I would prefer it, because it would not be fair, from any standpoint, to carry packages a long distance for the same rate as a short distance. To illustrate: It would be unfair in my State to charge the same rate for a package going between points within the State, possibly only a few miles apart, that would be charged on a similar package from Boston to San Francisco. Either one rate would be too low or the other would be too high, and yet a flat rate, such as proposed by the Sulzer bill, would mean just that proposition; so, for that reason, if I were to support any general parcel-post measure, it would be the Anderson bill.

Another bill pending, dealing with the question of cheaper rates for carrying packages, is a bill introduced by the distinguished gentleman from Georgia, the chairman of the Committee on Interstate and Foreign Commerce. This bill proposes to fix the rates to be charged by express companies for the transportation of parcels and packages, the rates being based upon a zone or distance basis. The bill only contemplates the fixing of rates for the carrying of packages not exceeding 11 pounds in weight and valued at not more than \$80. Section 1 of the bill is as follows:

That the rates hereinafter stated shall hereafter be the maximum rates to be applied either in first fixing rates by the express companies

or in their correction or regulation by the Interstate Commerce Commission, and no higher rates shall be charged and collected by express companies engaged in interstate commerce for receiving, transporting, and delivering packages or parcels not exceeding 11 pounds in weight and valued at not more than \$80 between a point in one State, Territory, or District in the United States and another point in a different State, Territory, or District in the United States, whether the transportation occurs on the line of a single express company or on a through route or shipment operated by two or more connecting express companies:

Between any two points in the United States more than 2,000 miles apart, 12 cents per pound.

Between any two points not more than 2,000 miles apart, 10 cents per pound.

Between any two points not more than 1,200 miles apart, 7 cents per pound.

Between any two points not more than 800 miles apart, 5 cents per pound.

Between any two points not more than 600 miles apart, 4 cents per pound.

Between any two points not more than 250 miles apart, 2 cents per pound.

Provided, That no company shall be required to carry any package for less than 10 cents.

This proposition, I understand, has met with the support of all the members of the Committee on Interstate and Foreign Commerce and has been favorably reported to the House by that committee. I would like to see it go further and fix express rates generally and without regard to the 11-pound limit. The enactment of the bill, as reported, would accomplish all that is proposed by the Sulzer or the Anderson bill, and at a much lower rate, in my opinion, for it has been demonstrated that a corporation can do business more economically and at much less cost than can the Government.

Another bill dealing with this subject is H. R. 23630, introduced by my colleague [Mr. MARTIN], and I think offers the best solution that has been proposed of this whole question. The bill is a short one, and in order that it may appear just what it proposes I will insert it in my remarks. The bill is as follows:

Be it enacted, etc., That section 1 of the act to regulate commerce, as amended June 18, 1910, is hereby amended by striking from the second line of the second paragraph thereof the words "express companies and."

SEC. 2. That each common carrier by rail subject to the act to regulate commerce and acts amendatory thereof shall, on and after the 1st day of July, 1913, provide and operate upon each passenger train operated by it a car for the transportation of property in small parcels and packages: Provided, That in special cases permission may be given by the Interstate Commerce Commission, upon application, to operate such cars in special trains operated at approximately the same speed as passenger trains.

SEC. 3. That on and after the said date the said railway common carriers shall receive and transport all express parcels and packages at reasonable rates, and in relation to the said express business shall be subject to the control, regulation, and direction of the Interstate Commerce Commission to the same extent, force, and effect as in relation to the transportation of freight or passengers.

SEC. 4. That each common carrier by rail providing cars for the transportation of property in small parcels and packages, as specified in section 2 hereof, shall file and publish rates for the transportation of such parcels and packages in the manner provided by section 6 of said act to regulate commerce, as amended June 18, 1910. No exclusive contract shall be made by any such carrier with any express company for such transportation of parcels or packages, but such transportation shall be furnished at the published rates to all persons alike.

SEC. 5. That such carriers by rail operating such cars shall establish through routes for the continuous transportation of property between various points on their lines and shall make all necessary and reasonable arrangements for the speedy transportation of such parcels and packages. Any such rail carrier engaging in the collection or delivery of such parcels or packages shall publish and file its charges for such service separately from its charges for rail transportation. Such rail carriers shall provide convenient and suitable facilities for the receipt and delivery of such parcels and packages at their stations as a portion of the rail transportation.

SEC. 6. That any carrier by rail, and any employee, director, or officer thereof, failing to provide and operate such cars, as hereinbefore provided, or failing to operate such suitable and convenient facilities for receipt and delivery of such parcels and packages at such stations, or making any exclusive contract with any person, partnership, or corporation for the use of such cars or facilities, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof in any district court of the United States within the jurisdiction of which such offense was committed, be subject to a fine of not to exceed \$5,000 for each offense or imprisonment in the penitentiary for a term not exceeding three years, or both, in the discretion of the court.

There is another bill, also reported by the Committee on Interstate and Foreign Commerce, which contemplates the taking over by the Government of all the express companies in the United States. This is known as the Goeke bill and embodies the plan advocated by the gentleman from Maryland [Mr. LEWIS], who, by the way, has made a great study of the subject and has furnished the House with much valuable information dealing with the whole question. This is the proposition that will be offered to the pending bill, being in order under the special rule. If it should be adopted it would be the duty of the President, on the 1st day of July, 1913, to take possession of all the express companies and to employ them in conjunction with the postal service and to conduct a general express business. I see no occasion for this action, and when it is considered that the proposition contemplates that the property of the

express companies shall be condemned and paid for by the Secretary of the Treasury, I do not see how anyone can consistently support it, when it may involve the expenditure of several millions of dollars. My understanding is that it is admitted that the capitalization of the express companies to-day is not less than \$200,000,000. They have very little tangible property, and undoubtedly we would be required to pay a very large sum for acquiring their franchises or right to do business and whatever contracts they may have with the railroads and other common carriers of the country, but, in my judgment, we would really be paying for something that we do not need to purchase. If it is the desire of the Government to go into the express business, it can do so without purchasing the express companies, and the only reason that I can imagine for anyone giving this proposition support is to benefit those who may be fortunate enough to possess stock in some of the express companies that has a high value by reason of what it has earned as the result of the exorbitant charges which the express companies have been exacting for so many years. It is only recently that legislation has been enacted to regulate the charges of express companies, and I would consider it very opportune, if I was the owner of express stock, if this legislation could be enacted, in order that I could dispose of the stock to the Government before it begins to depreciate by reason of the reduction in rates through Federal and State legislation. The people are certainly not clamoring for us to buy the express companies, and, in addition to the great expense that would be involved, there must also be taken into consideration that it would mean taking over at once into the employ of the Government not less than 50,000 employees; and certainly there is too much involved to think of enacting legislation by an amendment to an appropriation bill that would mean so much as this. For that reason I shall oppose the provision when it is offered to the bill.

As before stated, the bill presented by my colleague [Mr. MARTIN] seems to me to offer a complete and practical solution of the question. He has demonstrated that he has given the subject much careful thought. Those who were fortunate enough to be present yesterday and hear his speech must be convinced that whatever is or is not done we ought not to adopt the Goeke proposition and acquire the express companies, and put the Government into doing the express business of the country. It was shown by Mr. MARTIN, I think conclusively, that the Goeke bill was reported by the Committee on Interstate and Foreign Commerce before that committee had concluded its consideration of the measure, and that the report was ordered with a bare quorum of the committee present, which consists of 21 members, only 8 out of the 11 members who were present voting for it. It must be taken into consideration that in adopting on an appropriation bill a measure as important as this, coming from another committee of the House, that the report ought not to be considered of much importance, in view of the manner in which this proposition was reported.

My colleague clearly demonstrated that to acquire the properties of the express companies would involve an expenditure as great as I have already indicated. He also clearly demonstrated that the express companies are now carrying their packages of 11 pounds at 50 cents, and that the average express distance of all packages is 196 miles, and that carrying such a package on a flat rate, as proposed by the Sulzer bill, would cost 88 cents. He further demonstrated that the present express company contracts result in paying the railroad companies about double what the service is normally worth, and that to condemn and appropriate those contracts would perpetuate these unreasonable rates and make it impossible to give the people the reductions to which they are fairly entitled. Another defect in the scheme of the Government acquiring the express companies, pointed out by him, is that there is nothing to prevent railroad companies and the express companies entering into new contracts and continuing the business in competition with the Government. After listening to much of the debate on this question, I am convinced that, considering the matter from every standpoint, there is no reason why the plan proposed by Mr. MARTIN can not be put into force, and that it will result in the more satisfactory service and at cheaper rates than can be had under any of the other plans proposed, and a general reduction in rates will operate beneficially to all the people alike.

It has been suggested, and there is a proposition in the rule that makes in order a provision for the appointment of a commission to study the whole question and make a report to Congress. It is possible that a commission constituted of high experts would be able to present a measure that would justify their appointment, but I would not favor such a commission unless we are unable to enact legislation that will solve the question immediately. The people are demanding relief, and we ought not to delay action unnecessarily, and yet we ought to hesitate before adopting a plan as complicated as it would be

if we were to adopt a general parcel-post bill or a provision for acquiring the express companies.

GOOD ROADS.

The next matter that I want to discuss is the amendment that will be in order under the rule, which provides for Federal aid to roads by way of compensation for their use by the carriers in the Rural Free Delivery Service. The amendment is as follows:

That for the purposes of this act certain highways of the several States, and the civil subdivisions thereof, are classified as follows:

Class A shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide composed of shells, vitrified brick, or macadam, graded, crowned, compacted, and maintained in such manner that it shall have continuously a firm, smooth surface, and all other roads having a road track not less than 9 feet wide of a construction equally smooth, firm, durable, and expensive, and continuously kept in proper repair. Class B shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide composed of burnt clay, gravel, or a proper combination of sand and clay, sand and gravel, or rock and gravel, constructed and maintained in such manner as to have continuously a firm, smooth surface. Class C shall embrace roads of not less than 1 mile in length upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, with ample side ditches, so constructed and crowned as to shed water quickly into the side ditches, continuously kept well compacted and with a firm, smooth surface by dragging or other adequate means, so that it shall be reasonably passable for wheeled vehicles at all times. That whenever the United States shall use any highway of any State, or civil subdivision thereof, which falls within classes A, B, or C, for the purpose of transporting rural mail, compensation for such use shall be made at the rate of \$25 per annum per mile for highways of class A, \$20 per annum per mile for highways of class B, and \$15 per annum per mile for highways of class C. The United States shall not pay any compensation or toll for such use of such highways other than that provided for in this section, and shall pay no compensation whatever for the use of any highway not falling within classes A, B, or C. That any question arising as to the proper classification of any road used for transporting rural mail shall be determined by the Secretary of Agriculture. That the compensation herein provided for shall be paid at the end of each fiscal year by the Treasurer of the United States upon warrants drawn upon him by the Postmaster General to the officers entitled to the custody of the funds of the respective highways entitled to compensation under this act.

The provisions of this paragraph shall go into effect on the 1st day of July, 1913.

It will be noted that the roads will be divided into three classes, and only such roads as come within these classes will receive any payment. This proposition is a substitute for 29 different bills that have been introduced and that are now pending in the House proposing Federal appropriations to be expended upon the roads of the country. The 29 Members who introduced bills got together and agreed upon this measure and presented a signed statement to the Committee on Agriculture, which committee favorably reported it. The statement presented is as follows:

To the Committee on Agriculture:

The undersigned Members, who have introduced bills on the subject of good roads, desiring to secure, as far as possible, harmony and unity of action among the friends of such legislation, have conferred, with a view to agreeing upon a bill. After careful consideration we have prepared and agreed upon the subjoined bill and requested Mr. SHACKLEFORD to introduce it on behalf of us all. We have further requested Mr. SHACKLEFORD to appear before you and respectfully bespeak for the bill early and favorable consideration.

Very respectfully,

EZEKIEL S. CANDLER, Mississippi; J. THOMAS HEFLIN, Alabama; THOS. L. RUBEY, Missouri; JOHN J. WHITACRE, Ohio; JOSEPH A. TAGGART, Kansas; JOSEPH HOWELL, Utah; JAMES P. BYRNES, South Carolina; KENNETH D. MCKELLAR, Tennessee; E. W. SAUNDERS, Virginia; WILLIAM B. FRANCIS, Ohio; RICHARD W. AUSTIN, Tennessee; SCOTT FERRIS, Oklahoma; D. R. ANTHONY, Jr., Kansas; GEORGE WHITE, Ohio; WALTER L. HENSLEY, Missouri; JAMES M. COX, Ohio; GEORGE A. NEELEY, Kansas; J. J. RUSSELL, Missouri; J. H. GOEKE, Ohio; H. D. FLOOD, Virginia; BURTON L. FRENCH, Idaho; T. T. ANSBERRY, Ohio; C. C. ANDERSON, Ohio; P. P. CAMPBELL, Kansas; S. F. PROUTY, Iowa; W. C. ADAMSON, Georgia; BIRD MCGUIRE, Oklahoma; D. W. SHACKLEFORD, Missouri.

A petition was circulated among the Members of the House asking the Committee on Rules to report a rule making it in order as an amendment to the pending bill, and I understand over 230 Members signed it, of which I am one, and in response to the petition the Committee on Rules incorporated it in the special rule, and judging by the number that signed the petition for the rule and who voted for it when the rule was adopted by the House, it is going to be incorporated in the pending bill by an overwhelming majority, and it ought to be.

The subject of good roads has been agitated and discussed throughout all parts of our country for a number of years, and there have been conventions and meetings everywhere on the subject, and in many localities large sums have been expended in building and improving the highways by States, counties, and townships. Only to-day I read in a newspaper that in Bayfield County, Wis., the county board voted to bond the county for

\$50,000 of 4 per cent 10-year bonds for the purpose of building roads during the coming season.

It is a subject of much interest in my State, and I am sure my constituents will approve my action in voting for it. Better roads means much to the farmers; it adds value to the farms, and means a great saving in what the farmer has to haul. In a recent issue of the Saturday Evening Post there was an article by the secretary of the Farmers' Good Roads League of Illinois, and I want to quote an extract therefrom that seems to be extremely appropriate; in fact, it tells much in a few words:

The need of the hour is the road builder, and in no part of the continent is the need greater than in the Mississippi Valley, the granary of the world. In all that vast expanse from Pittsburgh to Denver and from the Lakes to the Gulf is a land of surpassing fertility and almost boundless possibilities, peopled with men and women of marvelous energy, helpful, self-reliant, and prosperous beyond compare. Within two generations they have conquered the wilderness, swept the wigwam from the prairie, and placed in its stead the comfortable, modern farm home. They have crossed and recrossed this great area with railroads over which the traffic of an empire is carried. Is it not strange that a people who have given such splendid proof of their capacity to do great things should fail so signally in dealing with the public roads? The greatest difficulty in building good roads is not the actual construction or even the paying for them, but convincing the people locally that it can be done without burdensome or ruinous taxation. No community ever began the building of stone or gravel roads, usually called hard roads, without the most bitter opposition from farmers who would most largely benefit by the improvement. It is encouraging to know that no community ever began the building of hard roads that did not keep on doing so. When the taxpayers had had the experience of using the roads and paying for them, more roads were demanded, and soon those most violently opposed were found on the firing line fighting for more appropriations for road improvement.

There certainly can be no question about the constitutionality of this proposition, it being a matter proposing to provide money to be expended for the rental of roads used by the Government for carrying the mail, and under the general-welfare clause of the Constitution we certainly have the power to establish post roads, and if we have the power to establish them we have the power to maintain and improve same or to pay for their use. I think the debate has removed any doubt that may have existed in the mind of anyone on the constitutional question. It will, of course, cost the Government something, but not more than we can afford to pay. The farmers of the country are certainly entitled to this much consideration. They have patriotically supported the Government and have not protested against the great sums that have been expended for internal improvements and for the support of the Army and the Navy, and it is only fair that some small part of our revenues be expended for their benefit.

We can curtail our expenses in other directions, and could probably get along if we built fewer battleships, and possibly our Army could be reduced without endangering the safety of the country. In any event, if we can expend \$300,000,000 in the construction of the Panama Canal, I am sure we will find some way to get the additional money that will be required if this proposition becomes a law, as I sincerely hope it will. There is nothing in the argument of those who oppose this measure who come from city districts that it is a discrimination in favor of the country and against the city. I know of no money that could be expended that would be of more general good to all of the people in the cities and country as money that might be expended in making better roads, and I am assuming that the money that would be paid under this provision would, in effect, be expended in improving the highways. Everyone knows that good roads leading into a town or city benefits the same, and it is not unusual for enterprising towns to expend money improving the roads leading thereto, as it means the bringing of business and trade that otherwise would go elsewhere. Furthermore, the people in the towns and cities to-day are using the country roads quite as much, if not more, than the farmers, and as you travel along the public highways to-day you meet more automobiles, coming largely from towns and cities, than you will see farmers and others in the country using the public highways.

I might go on discussing this question at greater length, but it is unnecessary. It seems to me as if every phase of it has been fully debated, so that we here thoroughly understand it, and with the debate that will follow under the five-minute rule the matter will be well understood throughout the country, and I will refrain from discussing it further.

Mr. Chairman, since I have been a Member of this House I have been elected at large, and therefore have represented, in part, the whole State of South Dakota. It is a large State, with varied interests, and in the newer portions it has been necessary to secure much legislation for its development. We have had the question of opening up the Indian reservations, legislating for a large Indian population, amending the homestead laws in the interest of inviting immigration and making it easier for the settlers; legislation for reclamation, forest reservations, and many other matters that required attention,

which have made our duties harder than that of the average Member of this House who represents a compact, old-settled district. Under the new apportionment we will gain one Member, so that after this Congress we will be represented by three Members of this House.

The State has been divided into three congressional districts, and if it should be my good fortune to again be elected I will in the next Congress represent the second district, being all that part of the State east of the Missouri River and north of a line from the river on the south line of Hughes and the other counties east thereof to the Minnesota line. It will readily be appreciated that as the Representative of this district I will be able to devote my time largely to the interests of the people of that district, and can accomplish more for that part of the State than I have heretofore. This district is strictly an agricultural one, and I may say that there is probably no district in the United States that possesses more uniform and productive land than this. It is settled by an intelligent and progressive people, and I think I am safe in saying that there is probably less illiteracy among the people than in most of the congressional districts of the country. As before stated, the people are engaged very largely in farming. There are no large cities in the district, but there are many prosperous and enterprising small towns and cities. We have rural free delivery very generally throughout the district; also rural telephones, and, in fact, the conveniences that may be found in any of our Eastern States. These people are well informed and they usually know what they want. I may say that they were very much opposed to Canadian reciprocity and are still, and when I opposed that proposition in the last Congress and again opposed it in the special session of this Congress and voted against it I was reflecting the sentiment of the overwhelming majority of the people in the second congressional district in my State.

It has always been my purpose, since being a Member of this House, to try and represent the sentiment of the majority of my constituents upon all public questions, and while I remain a Member I shall continue to serve their interests, always considering their welfare and the welfare and best interests of all the people of our great country; and in reaching this conclusion, with reference to the matters of legislation that are about to be voted upon in the pending bill, I have been actuated only by such motives.

Mr. GARDNER of New Jersey. I yield five minutes to the gentleman from Pennsylvania [Mr. FOCHT].

Mr. FOCHT. Mr. Chairman, it is a well-known and most deplorable fact that the poorest paid branch of Government employees to-day is the Railway Mail Service.

It is known that there is no more hazardous employment in this Government, and I believe the House must concede that the compensation is inadequate. In any event, we have in that service probably as intelligent a body of men as are employed anywhere by the Government, men who must have physical courage and who must be physically in good condition, or they could not engage in the employment. Yet we find provided the munificent and generous provision of 15 cents for a dinner or a meal, which the Government is to allow railway mail clerks when they are not able to reach their homes. Fifteen cents may go a long way in the light-lunch business, but men who work as laboriously and faithfully as these men do, who must combine with their work the broadest intelligence and comprehension, ought to receive more consideration at the hands of this great Government, which appropriates \$18,000,000 for a single battleship and fabulous sums for every conceivable object, some of which were mentioned this morning. It seems to me that these men engaged in this branch of the Government service, which is so important, bringing the communities into social and business relationship, a service where exactness must be observed, and where, as I say, there is great hazard, deserve better treatment and more consideration. These men do not know what instant their train will be telescoped and themselves mangled or hurled into eternity; and I trust that some attention may be given by this House to a statement which I will submit for publication in the Record, showing the contrasting condition between Canada and the United States, showing with what a stinted hand Uncle Sam pays his employees. This comparison is much to the discredit of our own Government. I sincerely trust this great injustice may be corrected at this time in this bill. [Applause.]

The following is the statement to which I refer, showing the conditions with respect to railway mail clerks in the Dominion of Canada:

OTTAWA, February 20, 1912.

DEAR SIR: Replying to your letter of the 14th instant, in which you desire certain information in regard to the Canadian railway mail service, attached herewith you will please find circular, which explains most of the points requested in your letter.

In regard to the third query, there are no grades. Clerks' salaries are increased automatically if they live up to certain standard and pass a satisfactory case examination.

Fourth. Railway mail clerks in Canada are not appointed to any particular route, but appointed to the Dominion service and can be employed on any route, the better clerks being assigned to the principal routes, as the clerks receive more mileage on such routes, although the work is harder. The indifferent clerks are appointed to the smaller routes on which they do not earn as much mileage.

Fifth. In addition to salary and mileage, clerks are paid what is known as detention expenses—that is, when a train is delayed owing to snow blockades or any other cause, which puts them to an expense over and above what they would have on their regular run. The additional expense covers meals, bed, etc.

Sixth. Railway mail clerks appointed previous to 1899 are under what is known as the superannuation act. A deduction is made from his salary and on retiring they receive a percentage of their salary in proportion to the number of years they have been employed.

A clerk who has been 35 years in the service is not called upon to contribute to the fund and is entitled to seven-tenths of his salary. Clerks appointed since 1899 are under what is known as the retirement fund. Five per cent is kept of their salary, which is placed in the fund at 4 per cent interest, compounded half yearly. The amount to their credit in this fund is refunded to them on their retirement from the service or to their heirs should they die while in the service.

Seventh. Sick and accident leave is granted for a reasonable time with pay. The sick leave of absence depends upon the record of the clerk. Leave due to railway accident or to a clerk who has been a long time in the service and who is absent through illness covers full salary for one year.

If there is any further information you desire, I would be pleased to furnish you.

Yours, truly,

CONTROLLER OF RAILWAY MAIL SERVICE OF CANADA.

CONDITIONS OF EMPLOYMENT OF RAILWAY MAIL CLERKS.

1. No person can be appointed a railway mail clerk unless he is under 30 years of age and has passed the civil-service qualifying examination.

2. New appointment must furnish a satisfactory medical certificate in regard to his health, eyesight, and hearing; also a statement as to where he has previously been employed, together with a statement from his former employer giving reasons for leaving his service.

3. Railway mail clerks, on appointment, will receive a salary of \$500 per annum, with annual increase of \$100 until the salary of \$800 per annum is reached, and thereafter an increase of \$50 per annum until the maximum of \$1,400 per annum is reached.

In addition to the above, railway mail clerks also receive mileage allowance as follows:

One-half cent per mile for every mile traveled in postal car on duty between 8 a. m. and 8 p. m. and 1 cent per mile for every mile traveled in postal car on duty between 8 p. m. and 8 a. m.

4. New appointments must be probationary for a period of one year. At the end of one year, provided his services are satisfactory and he has obtained at least 50 per cent at case examination, he may be confirmed in his appointment and his salary increased to \$600 per annum.

5. Annual increases thereafter are made as the result of a clerk's case examination (at which he must obtain at least 90 per cent), general efficiency, and interest in the service.

6. If an acting railway mail clerk is appointed a probationary railway mail clerk, the period of his temporary service can not be counted as part of the probationary period such clerk has to serve.

7. No person will be placed on duty as a railway mail clerk unless the superintendent of the district to which he is assigned is satisfied as to his character, health, and fitness for the service.

NOTE.—On No. 3, on small lines, where clerks in United States make 100 miles per day, \$1,100 is the highest salary—\$300 difference or more in Canada, plus mileage allowance, amount, on a run like my own, to more than \$500 more per year.

To show how much more competent we must be than clerks in Canadian service (Nos. 4 and 5 above) we must make 95 per cent on first examination and 98 per cent in review.

Mr. MORSE of Wisconsin. Mr. Chairman, I have introduced a bill (H. R. 23763) for the establishment of a mutual bonding fund under the supervision of the Government. In the preparation and introduction of this bill I follow the recommendation of the joint commission created by an act of Congress under date of August 5, 1907. This commission consisted of Hon. James A. Tawney, Hon. Walter Smith, and Hon. Eaton J. Bowers, Members of the House, and Hon. J. H. GALLINGER, Hon. CHARLES CURTIS, and Hon. MURPHY J. FOSTER, Members of the Senate. Their recommendation is found in report No. 2267, which was submitted to the House on February 27, 1911. I have introduced this bill because of the following facts: First, the premium rates charged Government employees by surety companies are very many times more than they ought to be, and, second, the Government is not adequately protected.

In the first place, the companies insist that the standard of reasonable rates is a premium income equal to three times the losses paid. It does not seem to me that such a standard can be defended for one moment, and, if it could be defended, the statistics compiled by the experts appointed by this commission show that the rates are far in excess even of this amount. Let us take the Post Office Department for an illustration. During the last five years the premium receipts from employees were \$417,919.85, and that the total losses paid were \$100,014.01.

In all the other departments the premium income was nearly six times the amount of losses that have been paid; \$1,214,388.88 have been collected during the past 15 years, out of which net losses amounting to \$206,972.76 were paid.

But that is not the whole story or the most discouraging part of it. The Government is not protected under the present sys-

tem of bonding. The standard of adequate protection is, of course, full and prompt payments of all losses without recourse to litigation. But the investigation made by this commission shows that the surety companies have not paid losses in full, have not paid them promptly, and have not paid them, generally, without litigation. Of claims aggregating \$616,942.42 which have accrued under bonds outside of the Post Office Department having corporate sureties, the companies have paid claims amounting to only \$226,325.88. They have paid only 36.69 per cent of the amount due the Government under their legitimate losses, and much of that has been paid only after long and vexatious litigation.

Several remedies have been suggested. First, that we return to personal surety exclusively. This might be some improvement over corporate sureties. This investigation shows that while the Government has been able to collect only 36.69 per cent of its losses from surety companies it has been able to collect 43.84 per cent of its losses where the bonds were signed by persons. This method of bonding, however, forces Government employees into embarrassing positions and frequently puts them under obligations to people to whom they ought not be obligated. If the officers of a bank sign the postmaster's bonds, they expect the postmaster to deposit Government funds in their bank.

Other remedies have been suggested, such as the deposit by employees of cash or securities as a guaranty of fidelity. The size of the bonds required by the Government makes this impracticable.

It is also suggested that we continue the present system and provide for more strict supervision of the companies, and pass a law giving the Government the power to fix rates charged. This might work out satisfactorily to the Government if it were not for the fact that these companies always vigorously resist, by every legal subterfuge at their command, all efforts made by the Government to protect itself and its employees. The whole history of the dealings by the Government with these companies is a history of litigation, compromise, and failure.

It is also suggested that all bonds be abolished and that defaulters be prosecuted more stringently. This is the practice generally followed in Great Britain, Germany, and Austria. They go on the theory that—

The fear of hell is the hangman's rope
That hauls the guilty wretch to heaven.

This method, however, results in a great deal of loss to the Government.

The remedy suggested in the bill which I have introduced would result in complete protection to the Government. It would cost the employee less than half the amount he is paying to-day. It would do away with fruitless and annoying litigation and with all of the cumbersome details in the matter of administration.

The system is not new or untried. It was established in the Philippine Islands in 1907, and has worked out most satisfactorily, both to the Government and to the employees. It is working satisfactorily in the Netherlands, Switzerland, and in Canada.

But surety companies are doing nothing for the Government and its employees that could not be done much more satisfactorily and economically in another way. The companies simply collect the premiums from the employees to create a fund out of which the Government may be reimbursed in case of loss. For this service they charge from 70 per cent to 90 per cent of the premiums collected.

The result of the investigation made by this most able commission shows that it is possible to get better security and to get it for much less money than the present system now costs. I sincerely hope that this bill may become a law at this session of Congress. [Applause.]

Mr. GARDNER of New Jersey. Mr. Chairman, I yield to the gentleman from Kansas [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, there is no other arm of the postal service which shows so plainly the peculiarly social benefactions of the entire postal system as does the rural mail delivery. The Member of Congress who was active here 15 years ago and who knew intimately at the time the sentiment of Congress in regard to rural delivery of mail, had he slept a Rip Van Winkle sleep and had come back to-day would not believe his eyes.

For in the beginning of this service there was a large and clamorous faction which affected to believe, perhaps in part did believe, that the innovation of carrying the mail daily out to the farms would bring the whole postal structure crashing down into magnificent ruin. I remember reading about 14

years ago a Postmaster General's report, in which that official declared in alarm that this system, if extended, might eventually entail an expenditure of \$30,000,000. To-day the expenditure goes to \$43,375,000, and instead of the disaster which many men prophesied, every increase in expenditure and extension of rural mail delivery has added to the perfection of the whole mail establishment, and I think, without exception, every American to-day rejoices that the system is as extensive as it is, and is proud of our achievement. As late as five years ago there were men in public life who still believed that in some way rural mail delivery could be changed in form or so curtailed that its growth would cease. If any of this school exist to-day they are few in number and voiceless. And rural mail delivery becomes as permanent, as stable, and as vitally and intimately a force in the daily life of America and in our national development as suffrage itself.

I am glad to say that this bill carries an increase in the compensation to the carriers, and in this connection let me say there has been a change in attitude toward the rural mail carrier quite as marked as the change of mind on the system itself. While it seems unbelievable to-day, there were men 15 years ago who expected the rural carrier to do the work virtually for nothing. There was an odd disposition among certain congressional economists to believe that in the country a horse and wagon did not cost anything, that a horse and wagon were simply a gratuity of full-handed nature, as wild strawberries are. It took years and years of effort by the carriers and their friends to establish the elemental fact that the upkeep of their outfit involved expenditure.

Another curious delusion of the old days was that the rural carrier in delivering the mail was after all doing only a chance chore, that he could throw the job in on the day's work without effort. The men who had this view came slowly to the knowledge that the Rural Mail Delivery Service was a regular force performing a duty with regularity, with dispatch, and with security, subject to rule, answerable to authority, and enjoined with responsibility. But these men, while they came slowly to the knowledge, came at last.

With the development of the Rural Mail Service, with its great popularity and with its remarkably rapid growth, the rural mail carrier himself, by his conduct, has had a world to do. The service itself, belief in it, pride in it, hope of its growth, has asked of the carrier, and has received universally, loyalty. Whatever the weather, whatever the barrier, with the carrier the service is first. The top line in his rules of duty is to deliver the mail on time, and as these men march forth every morning, winding out through highway and country lane, they move like clockwork and have become, with the development of the system, one of the most highly perfected and efficient services of the modern world.

What few opponents of rural mail delivery are left are negligible. To all others rural delivery of the mail has become a national ornament. The very magnitude of our country, territorially, made the attempt an extraordinarily ambitious one, but its accomplishment, in spite of its difficulty, is the greater on that account. The marvel of this day of mutuality in the world is the magic, the miracle, of intercommunication. With every development of wireless telegraphy, of telephony, of acceleration in the mail, our wonder grows apace. And in the midst of the agencies for development which are working upward to a realization of the ideals of the democracy through the social forces of humanity none has higher place than rural mail delivery.

MESSAGE FROM THE SENATE.

The committee informally rose, and Mr. FINLEY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Platt, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 6472. An act to authorize the Secretary of the Treasury to sell certain land to the First Baptist Church of Plymouth, Mass.; and

S. 5461. An act to regulate the traffic in intoxicating liquors in the District of Columbia.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 6472. An act to authorize the Secretary of the Treasury to sell certain land to the First Baptist Church of Plymouth, Mass.; to the Committee on Public Buildings and Grounds.

S. 5461. An act to regulate the traffic in intoxicating liquors in the District of Columbia; to the Committee on the District of Columbia.

POST OFFICE APPROPRIATION BILL.

The committee resumed its session.

Mr. GARDNER of New Jersey. Mr. Chairman, I yield 30 minutes to the gentleman from Kentucky [Mr. POWERS].

Mr. POWERS. Mr. Chairman and gentlemen, section 8 of the Post Office appropriation bill now under consideration reads as follows:

SEC. 8. That hereafter postage shall be paid on matter of the fourth class at the rate of 12 cents per pound, except as herein provided.

That no article, package, or parcel shall be mailable as matter of the fourth class which exceeds 11 pounds in weight, except as herein provided.

That on each and all rural-mail delivery routes of the United States the postmaster at the starting point of such route shall, until June 30, 1914, receive and deliver to the carrier or carriers of said routes all articles, parcels, or packages not prohibited to the mails by law and falling under the definition of fourth-class matter and not weighing in excess of 11 pounds for transportation and delivery on said routes only; and the carriers shall receive at intermediate points on all rural routes such mail matter of the fourth class for delivery on their respective routes only.

That postage shall be paid on all articles, parcels, or packages entitled to transportation under the provisions of this act as matter of the fourth class on rural-mail delivery routes only at the following rates: One cent for each 2 ounces or less, 2 cents for more than 2 ounces but not more than 4 ounces, 3 cents for more than 4 ounces but not more than 8 ounces, 4 cents for more than 8 ounces but not more than 12 ounces, 5 cents for more than 12 ounces but not more than a pound, and 2 cents per pound for each additional pound or fraction thereof up to and including a total of 11 pounds. That the Postmaster General shall make all rules and regulations necessary and not inconsistent with law to the proper execution of this act.

That for the purpose of a full and complete inquiry and investigation into the feasibility and propriety of the establishment of a general parcel-post commission of six persons, three of whom shall be appointed by the Speaker of the House of Representatives and three by the President of the Senate, is constituted, with full power to appoint clerks, stenographers, and experts to assist them in this work. They shall review the testimony already taken on the subject of parcel post by Senate and House committees and take such other testimony as they deem desirable. For the purpose of defraying the expenses of this commission the sum of \$25,000 is hereby appropriated out of the moneys in the Treasury not otherwise appropriated.

The present law provides that domestic mail shall include matter deposited in the mails for local delivery or for transmission from one place to another within the United States, or to or from or between the possessions of the United States, and is divided into four classes:

First. Written and sealed matter, postal cards, and private mailing cards.

Second. Periodical publications.

Third. Miscellaneous printed matter (on paper).

Fourth. All matter not included in the previous classes and usually known as merchandise.

The following articles are included in fourth-class matter:

- Albums, photograph and autograph (blank).
- Artificial flowers.
- Bees (queen) when properly packed.
- Billheads.
- Blank address tags and labels.
- Blank books.
- Blank books with printed headings.
- Blank cards or paper.
- Blank diaries.
- Blank postal cards in bulk packages.
- Blank post cards.
- Botanical specimens, not susceptible of being used for propagation.
- Calendar pads, mainly blank.
- Calendars or other matter printed on celluloid.
- Card coin holders (not printed).
- Cards (blank).
- Cards, printed playing, of all kinds.
- Celluloid, printed or unprinted.
- Christmas and Easter cards printed on other material than paper.
- Cigar bands.
- Coin.
- Combination calendar and memorandum pads, mainly blank.
- Crayon pictures.
- Cut flowers.
- Cuts (wood or metal).
- Daguerreotypes.
- Dissected maps and pictures.
- Drawings, framed or unframed.
- Dried fruit.
- Dried plants.
- Easter cards, when printed on other material than paper.
- Electrotype plates.
- Engravings, when framed.
- Envelopes, printed or unprinted, except when addressed and inclosed singly with third-class matter.
- Flowers, cut or artificial.
- Framed engravings, pictures, and other printed matter.
- Geological specimens.
- Letterheads.
- Maps, printed on cloth.
- Merchandise samples.
- Memorandum books and calendar pads, mainly blank.
- Merchandise sealed:
- Proprietary articles (not in themselves unmailable), such as pills, fancy soaps, tobacco, etc., put up in fixed quantities by the manufacturer for sale by himself or others, or for samples, in such manner as to properly protect the articles, and so that each package in its simplest mercantile or sample form may be readily examined.
- Metals.
- Minerals.

Napkins, paper or cloth, printed or unprinted.
 Oil paintings, framed or unframed.
 Order blanks and report forms, mainly blank (spaces covered by ruled lines being regarded as blank), are fourth-class matter. However, one copy may be inclosed with third-class matter without subjecting such matter to postage at the fourth-class rate. (See par. 4, sec. 474, P. L. and R., amended.)
 Paper bags and wrapping paper, printed or unprinted.
 Paper napkins.
 Patterns, printed or unprinted.
 Pen or pencil drawings, if they bear no written words, letters, or figures, giving size, dimensions, distance, price, etc.
 Photograph albums.
 Photographs negatives.
 Postal cards (blank) in bulk packages.
 Post cards (blank).
 Printed matter on other material than paper.
 Printed playing cards of all kinds.
 Private mailing or post cards (blank).
 Queen bees when properly packed.
 Record books, mainly blank.
 Rulers, wooden or metal, bearing printed advertisements.
 Samples of cloth.
 Samples of flour or other manufactured grain for food purposes.
 Sealed merchandise:
 Sealed packages of proprietary articles of merchandise (not in themselves unmarketable), such as pills, fancy soap, tobacco, etc., put up in fixed quantities by the manufacturer for sale by himself or others, or for samples, in such manner as to properly protect the articles, so that each package in its simplest mercantile or sample form may be examined.
 Soap wrappers.
 Stationery.
 Tags (blank).
 Tape measures.
 Tintypes.
 Tobacco tags and wrappers.
 Valentines printed on material other than paper.
 Wall paper.
 Water-color painting.
 Wooden rulers bearing printed advertisements.
 Wrapping paper, printed or unprinted.

Usually the rate of postage charged on first-class mail matter is 2 cents an ounce or fraction thereof. Of course, this does not apply to post or postal cards.

Second-class mail matter, such as newspapers and periodical publications, pays postage at the rate of 1 cent for each 4 ounces or fractional part thereof. In other words, at the rate of 4 cents a pound, except when mailed by news agents or the publishers themselves, and then it goes through the mails at the rate of 1 cent a pound.

The rate of postage on mail matter of the third class is 1 cent for each 2 ounces or fraction thereof on each individually addressed piece or parcel, or at the rate of 8 cents a pound, while the rate of postage on fourth-class mail matter is 1 cent an ounce or fraction thereof on each individually addressed piece or parcel, or at the rate of 16 cents a pound.

This is an ounce and not a pound rate.

LIMIT OF WEIGHT IN MAILS.

Section 3879 of the Revised Statutes of the United States provides, with a few exceptions, that no single package shall be sent through the United States mails which weighs more than 4 pounds. This provision of the law applies to both the third and fourth class mail matter, but does not apply to either the first or second class mail matter. Section 488 of the Postal Laws and Regulations provides:

Mail matter of the first class fully prepaid and matter of the second class prepaid at either the regular or transient rate will be accepted for mailing at any post office regardless of the weight thereof.

With these observations as to what the present law is, let us see what changes in same are made by the provisions of the bill we have under consideration.

This section 8 of the bill under discussion—the parcel-post section—contemplates four changes in the law as it now exists. It contemplates, first, a reduction of rate on all fourth-class mail matter all over the entire country from 16 cents a pound to 12 cents a pound. It contemplates, second, a further reduction on fourth-class mail matter on all the rural routes of the country from 16 cents a pound to practically 2 cents a pound. It contemplates, further, an increase in weight of the fourth-class mail matter from 4 pounds to 11 pounds, and, fourth, the establishment of a commission to investigate the advisability of putting into operation the general parcel-post system all over the country.

It will be observed that the special postage rates provided for in this bill—the rates of 1 cent for each 2 ounces, or 2 cents for each 4 ounces, or 2 cents a pound for each additional pound above 1 pound—shall be only applicable to fourth-class mail when deposited with the postmaster at the starting point, or at some intermediate point of a rural mail delivery route for transportation and delivery on that route only. In other words, if John Jones, living on some rural mail delivery route wanted to order a package of 11 pounds from Sears, Roebuck & Co., of Chicago, he would have to pay \$1.32 postage on said package; but if he should order the same package from Tom Jones, who ran a country store on the rural mail delivery route on which Tom Jones lived, he would have to pay only 25 cents postage

for the transmission and delivery of the same package. The argument has been made that the parcel post would drive out of business and ruin the country merchant; that the country people and those living in towns and villages would order their goods, wares, and merchandise from the large mail-order houses; that the money heretofore spent with the country merchant and some of which remained in the community would, under the parcel post, all be taken out of the community; that in times of sickness, stress, local taxation, and improvement, the country merchant being a part of the community always contributes his part and does his full share toward the bettering of conditions and the making of good citizenship; that the mail-order houses and foreign merchants do none of these things; and that the inauguration of the parcel post is not fair to the country merchant and will in the end work harm to the entire country. The present bill can not possibly have that effect. It discriminates for and not against the country merchant.

The Committee on Post Offices and Post Roads, having in charge this bill, in their report to the House has this to say:

One of the most difficult questions connected with proposed postal progress arises with the suggestion to create a general unlimited parcel post for the transportation of merchandise at a flat rate of 8 cents a pound or less, with a limit of 11 pounds or a greater number of pounds.

The advocates of this proposition insist that the rate on fourth-class matter (merchandise) was at one time 8 cents a pound with no loss of revenue, but an increase of revenue; that the zone system of transportation charges used by the express companies is unnecessary and cumbersome; that express companies pay wheelage to railroad companies and divide profits and still make annually colossal profits at the expense of the people; that it is the right of the people to use the mails for their own benefit and the right of the consumer to buy wherever he can secure the best bargain, whether it be at home or in another State or city, and that the complaint of this view is from selfish sources; that a largely increased revenue will come to the Government from the system and advantages and blessings to the whole people in its operation.

The opponents of a general unlimited parcel post insist that it will tend to concentrate business in the large cities and be injurious to rural communities and small towns and cities; that it is a step in the wrong direction—paternalistic and dangerous in its tendencies; that it would create an enormous deficit in the Post Office Department; that it would revolutionize the commercial system in the United States; that it would seriously delay the delivery of legitimate mail; that it would deplete or destroy the prosperity of innumerable country towns and villages, and therefore must be regarded as a menace to the welfare of all the people; that it is class legislation in that it discriminates against the country merchant and favors the great retail mail-order houses; that it is in effect a subsidy to the retail mail-order houses—wrong in principle and unfair in practice; and they further insist that a rural parcel post would be an entering wedge for a general parcel post.

The most of people living in the country and engaged in agriculture and other pursuits, so far as we can secure information, and the larger mercantile establishments in the great cities favor an unlimited parcel-post law. The country merchant and nearly all merchants of the smaller cities and towns oppose the law. This seems to be the alignment. Self-interest, the mainspring of most of our actions, seems to be commanding in both factions. We do not think that the advantages claimed for the establishment of this post will be so great as its ultra-friends claim, nor that the disadvantages would be nearly so great as its enemies fear.

The necessity for conservative legislation in view of such a contention and division among the people is apparent. We should seek to secure all the advantages possible and avoid all the disadvantages that may arise from any proposed legislation in the interests of the masses of the whole people. Laws should bear as nearly as possible equally and justly on all classes under all conditions. We have heard much testimony, very interesting in its details, but for the most part from those who express an opinion from a general view of general conditions. We need specific facts and not merely opinions on which to pass intelligent and satisfactory legislation. It would seem essential that we know how this innovation in our postal system will affect our revenue; what additional burdens we must assume in increased numbers of employees, and the increased railway and carriage pay; whether a flat rate can be established for the whole of the United States or not, and at what figure; whether it would be wise to adopt the zone system of transportation and pay for carriage or not; how far this extra service would interfere with the handling of first, second, and third class mail matter; the probable losses and profits under different rates; the effect on the centralization of trade; whether the express companies could under one system or another secure the short hauls and leave the long and expensive hauls to the Government; whether it would first be best to condemn the express companies' contracts with the railroads or not, and use them, or to force the railroad companies to equal rates for the Post Office Department that is granted the express companies, or to pursue either of these courses; to know the tendency of the system to create and sustain monopolies, and its effect on the commercial and farming interests of the country. On these matters there should be some definite information (in the interest of the general public) for use in the enactment of a wise law on the subject, before any law general and unlimited in its character at a low rate of postage and increased number in pounds should be established. This information can best be obtained and applied for good results only after a full consideration by a commission of persons especially equipped and experienced in such investigations and clothed with full power to ascertain the facts. Therefore the embodiment in this bill of a section creating a commission and directing the examination and report, that the true facts and conditions may be known in advance of legislation.

The same conditions do not exist, and therefore the same reasoning does not apply to the strictly rural parcel post confined to matter of the fourth class arising and for delivery on each specific rural free delivery route. These routes are already established. All of their machinery is in full operation. The additional burdens on the carrier are slight, and a slight additional compensation is provided for in this bill. The estimate of the department is that a change in equipment will be necessary as to only about 15 per cent of the routes. We have

therefore provided for a limited rural route parcel post with postage rates at 5 cents per pound for the first pound and 2 cents per pound over 1 pound and for fractions of pounds, to 11 pounds limit as an experimental proposition. This experiment will last for two years on all of the routes in the United States. If it shall prove to be unwise, it can be repealed or expire by limitation. We think that it will be a combined advantage to the farmer and to the country merchant and of no possible injury to anyone. The estimated increase in revenue from this source is from seven to ten millions of dollars in its limited character. We feel that it is the duty of Congress, in response to the almost universal demand from the people residing in the rural and agricultural districts of the United States, to inaugurate this system of limited rural parcel post, experimentally at least. We do not believe that it would be wise to establish a general or unlimited parcel post on the lines suggested until there has been information of such definite and certain character as to justify us in taking a position so important and necessarily affecting the revenues to the extent that it will.

This report sets out pretty clearly the contention both of the friends and the enemies of the parcel post, and shows pretty conclusively that there is room for argument on both sides of the general parcel-post question. The framers of the bill under discussion are in such doubt as to the effect upon the welfare of the country of a flat rate general parcel-post system that they have in section 8 of the bill provided for the creation of a parcel-post commission of 6 persons, 3 to be appointed by the President of the Senate and 3 by the Speaker of the House of Representatives, and whose duty it shall be to—

review the testimony already taken on the subject of parcel post by the Senate and House committee and take such other testimony as they deem advisable—

in order that legislation affecting the convenience and welfare of so many of our people shall be based upon facts and not upon guesswork.

One thing, however, is sure, and that is that the country merchant need not be alarmed about the effect on his business if the present bill should become a law. In the case I cited awhile ago, the country farmer, mechanic, miner, or laboring man, living on the same rural route as the country merchant, would have to pay \$1.32 postage on an 11-pound package ordered from Sears, Roebuck & Co., while if ordered from the country merchant it would cost them only 25 cents postage. Evidently the country merchant has no just complaint under this arrangement. If anybody has a right to complain it is the farmer, the laborer, and other consumers, who insist, with much show of reason, that they have a right, and that it is their duty, to buy wherever they can secure the best bargain, whether it be at home or abroad, whether with the country merchant or the mail-order houses in the great cities.

While I am not satisfied with the provisions of the present bill, I shall vote for it because it will help a good many people and harm nobody and give us a chance to try out the scheme.

It is the beginning of the solution of the problem of cheaper transportation and the enlargement of transportation facilities. The framers of this bill frankly admit that it is, at best, but an experiment; that they are not in possession of sufficient facts and data upon which to base any general legislation upon this subject at this time. This bill provides for only a limited rural route parcel post until June 30, 1914. If this legislation should prove to be unwise, it can be repealed or expire by limitation. If it should prove to be salutary and beneficial, it can be kept upon the statute books of this country. In the meantime the commission created by this bill—a commission in all probability to be composed of three Democrats and three Republicans, specially adapted and fitted for this work—will be engaged in such a study and investigation of this question and in the obtaining of such facts and information thereon as will enable Congress to pass such laws upon the subject as will prove to be a benefit and a blessing to the great body of our citizenship.

THE UNITED STATES FURNISHES FOREIGN COUNTRIES BETTER MAIL FACILITIES THAN IT FURNISHES ITS OWN PEOPLE.

As I understand it, there are now 23 foreign countries that have the right to transmit through the mails of the United States fourth-class mail matter in packages up to the weight of 11 pounds, for which they are charged only 12 cents a pound. Therefore, by incorporating and making that a part of the laws of this country, we put our own people upon the same footing and our own facilities for use by our own people on the same terms that we now extend to 23 foreign countries. I am firmly of the opinion that the mails of our own country should be put to the use of our own people on terms as fair and reasonable as those which we extend to the people of other countries.

FAVORS REDUCED RATES ON RURAL ROUTES.

A very distinguished Member of this House, the gentleman from Pennsylvania [Mr. MOORE], the other day raised the objection that the Members of this House ought not to support that feature of the bill which provided for reduced rates on fourth-class mail matter on rural routes, because it was, he said, a discrimination in favor of the people who live on the rural routes of the country and against the people who live in the large cities of the land. Looking at it from one viewpoint it might

be regarded as a discrimination, but from another viewpoint it is not a discrimination. In the first place the standard rural routes of this country are only about 24 miles in length.

In sending the mail a short distance of 24 miles the Government does not have to carry it to the great length that is ordinarily true of other mail sent throughout the country. The gentleman forgets, too, that in the great cities of the country there have been built at the expense of the Government custom-houses and public buildings for the convenience of the people who live in the cities, and he forgets further that in the great cities of this country and in many smaller ones the mails of the United States are laid down at the very door of the inhabitants of those cities, even on their desks in their offices, enormous quantities of it, some five or six times a day, while the people who live in rural districts are not blessed and provided for by the Government in any such fashion. Yet they are citizens and taxpayers of this great country. They are all citizens of the United States, and are as much entitled to its protection and service as the people who live in the larger cities. For these and other reasons I am heartily in favor of the reduction in rate on the rural routes as provided for in this bill. And besides, when so reduced, the rates are not near as low as the rates now existing on second and third class mail matter.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. POWERS. With pleasure.

Mr. WILLIS. I understand it is provided in this bill that in this special rural route parcel-post proposition the business must begin and terminate on the same route. Is that the gentleman's understanding?

Mr. POWERS. That is true.

Mr. WILLIS. Does the gentleman see any objection to an amendment whereby, say, if I lived on route A, starting out of a given city, and the gentleman lived on route B, both being farmers, I could send a package into the central starting point of both routes addressed to the gentleman and have it delivered to him? Does the gentleman see any objection to an amendment of that effect, so as to extend it to all the rural routes on the same starting point?

Mr. POWERS. I do not see any objection to that proposition or amendment, and, on the contrary, I shall give it my hearty support if the gentleman decides to offer such an amendment, because it is a meritorious amendment and ought to be made a part of the law. There is no reason why these fourth-class packages should not be sent at reduced postage on all connecting rural routes. This would benefit both the country merchants and the farmers as well as all who live in those communities or sections of country, and would not hurt anybody. I hope to see the gentleman's suggested amendment made a part of this bill and enacted into law.

Mr. WILLIS. It has been stated by different gentlemen in this debate that under the rules of the department and the present state of the law that even if this provision to which you have referred be adopted enlarging the weight limit from 4 to 11 pounds it will not be possible for the farmer to send through the mail any of the products that he raises. Does the gentleman know whether that is the fact? It has been stated here a number of times, and I am interested to have the gentleman's opinion about it.

Mr. POWERS. I want to state to the gentleman from Ohio that under the provisions of this bill the farmer will not have the right to send his products through the mails either at the limit of 4 pounds or 11 pounds or any other weight. None of the things which the farmer produces and has to sell are now included in fourth-class mail matter. As I have already pointed out, second-class mail matter—newspapers and periodicals—can be sent through the mails by editors and news agents in unlimited weight at the rate of 1 cent a pound. Manufacturers of merchandise and those who sell and handle it have the right under our laws as they now exist to send 4-pound packages of such merchandise through the mails of the United States at the rate of 16 cents a pound. The farmers of our country are not so privileged or so blessed as to their products. I would like to see at least the nonperishable products of the farm included in fourth-class mail matter on the rural routes of the country, if no further, and their advisability as fourth-class mail matter and experimental extension tried out under the provisions of this bill.

And I want to say further to the gentleman from Ohio that the commission which under the provision of this bill has been constituted for the purpose of working out this system ought to figure out some scheme whereby the man who lives on the farm and produces butter and eggs and potatoes and that character of stuff should have the right to send direct that stuff to the consumer instead of sending it to the commission houses and wholesale merchants, and let it go through a dozen hands

before it finally reaches the table of the consumer. I want to say further that it is my information that in the year 1909 the farmers of this country produced more than \$9,000,000,000 worth of products. Assuming that they used one-third of that, it would make them sell the remainder for \$6,000,000,000. It is worth that much to the farmer, but when it finally reaches the table of the consumer it costs the consumer some \$13,000,000,000. In other words, the price of the farmer's product was more than doubled from the time it left his hands until it finally got to the mouths of the consumers. I shall not support the proposition to take over the express companies at this time, as provided for in the Goeke bill.

My information is not sufficiently accurate and not sufficiently comprehensive to enable me to know whether or not that is or is not for the best, but I am firmly of the opinion that this bill now under consideration ought to be so amended that this investigation committee shall have the same power to investigate the proposition of the postal express and railway express that it has the proposition of a general parcel post. That is the way I feel on that question. The present bill reads:

That for the purpose of a full and complete inquiry and investigation into the feasibility and propriety of the establishment of a general parcel post, a commission of six persons, three of whom shall be appointed by the Speaker of the House of Representatives and three by the President of the Senate, is constituted.

And so forth.

I think after the words "general parcel post" should be added the words "postal express and railway express, or both," so as to give this commission the power and authority to investigate the subject of the postal express and railway express as well as the general parcel post. Many very able gentlemen contend that the solution of our problem lies, not in the general parcel post but in the postal express or railway express.

They contend that no general parcel-post system will ever be able to solve the great problem before the country of getting the vital necessities of life direct from the producer to the consumer at something akin to the price at which they are produced. As I said before, none of the provisions of the bill under discussion attempt to solve the problem. They provide only for the carrying of fourth-class mail matter at a lower rate than heretofore, but if you will examine the list of articles which are included in fourth-class matter you will find that none of the things which the farmer produces are included in fourth-class mail matter.

The thing the country needs is such a system, if it can be worked out, as will not only provide for the carrying of fourth-class mail matter, as now constituted, much in excess of 11-pound parcels and packages, but such a system as will include and provide for the transportation, direct, of the vital necessities of life from the farmers' bountiful hands to the millions of hungry mouths in the cities and towns scattered throughout the length and breadth of our land; and that, too, in such a way as will not do violence to our country merchants or any other class of our citizenship.

That is the vital question. It is a sad commentary upon the statesmanship of our country that in a land of peace and plenty, where better wages are paid the laborer, the artisan, the skilled mechanic than ever before in the history of the world—better than in all other countries of the world—he still finds himself hard pressed to make both ends meet, hard pressed to properly rear, shelter, feed, and clothe his family. The trouble lies in the high cost of living. One reason for that is either the lack of, or high cost of transportation; and when we think of transportation we naturally think of the railroad companies and the express companies of the country; but the trouble about the railroad companies is that they do a wholesale and not a retail business.

The railway minimum unit of shipment is 100 pounds, and its minimum charge is 25 cents. The consumer does not need at one time 100 pounds of butter or a dozen crates of eggs. The railroads contend that they can not profitably carry packages weighing less than 100 pounds for the reason that every shipment carried by them, whether large or small, whether the distance is long or short, amount to some 20 acts of attention in number; that this takes time and labor and costs money.

The acts of attention by the railroad, through its employees, are:

- (1) Unloads articles from consignor's vehicle.
- (2) Loads article in car.
- (3) Ascertains rate to be paid.
- (4) Makes out bill of lading.
- (5) Makes out waybill and sends copy to auditor and the train conductor.
- (6) Receiving agent, destination, receipts to conductor;
 - (7) Sends notice to consignee;
 - (8) Unloads package from car;
 - (9) Takes receipt of consignee;
 - (10) Loads it on consignee's wagon.

- (11) Agent gets money for shipment;

- (12) Copies bill of lading into record of freight forwarded;
- (13) Copies bill of lading into record of freight received;
- (14) Sends statement of freight sent to auditor;
- (15) Sends statement of freight received to auditor.
- (16) Auditor checks bill of lading against records of sending agent;
 - (17) Checks bill of lading against record of receiving agent;
 - (18) Advises treasurer of money due by each agent;
 - (19) Makes statistical report from bill of lading;
 - (20) Calculates, per bill of lading, amount payable the different railways.

While if the same shipment were sent by the postal system a postage stamp would do the work for it—no bookkeeping, no accounting, and but little handling. The same thing is true in a large measure of the express companies as with the railroad companies; and, besides, the express companies have no way of transporting anything much except by means of the railroads. The contracts between the express companies and the railroad companies, on an average, provide that the railroad companies get 47½ per cent of the final rate fixed by the express companies. In other words, the express companies pay the railroad companies for transporting the packages practically one-half of the express charges they receive. The person who sends the express package foots the entire bill. In the end he pays the railroad companies their excessive charges and the express companies their excessive rates.

In the year 1909 the average charge of carrying a ton of freight in this country was \$1.90, while the average charge of carrying a ton of express was \$31.20. In other words, the express charge in this country is about sixteen times the freight; while in France, Germany, and other countries of the world the express charge is only about five times the freight charge, i. e., the average ton of freight is about 85 cents, and the average ton of express about \$4.25. If this proves anything, it proves that our express charges are about two or three times as high as they ought to be. But will the general flat-rate parcel post at either 8 or 12 cents a pound give us relief from this condition? A good many people are advocating a general parcel post with a flat rate at 12 cents a pound. Others fix it at 8 cents a pound.

One hundred and ninety-six miles is the average length of journey of express packages in this country, and presumably about the average journey which postal shipment would make. For the purpose of comparing the prevailing express charges with the charges which would be paid both under the 8-cent-a-pound and 12-cent-a-pound parcel-post arrangement for the average carrying distance of 196 miles, I submit the following table:

Table comparing parcel-post rates with express-company rates.

Rate.	Parcel post.		Express-company rate.
	12 cents per pound.	8 cents per pound.	
1 pound.....	\$0.12	\$0.08	\$10.10
2 pounds.....	.24	.16	.16
3 pounds.....	.36	.24	.24
4 pounds.....	.48	.32	.32
5 pounds.....	.60	.40	.40
6 pounds.....	.72	.48	.45
7 pounds.....	.84	.56	.45
8 pounds.....	.96	.64	.45
9 pounds.....	1.08	.72	.45
10 pounds.....	1.20	.80	.45
11 pounds.....	1.32	.88	.50
Total.....	7.92	5.28	3.97

¹ If prepaid, the express companies now carry books at a rate of 8 cents a pound, and merchandise, or fourth-class mail matter, at 16 cents a pound.

This shows that both the 8 and 12 cent parcel-post rates are higher than the present express rates. In other words, the express companies now charge an average of \$31.20 the ton of packages.

The 8-cent parcel-post rate would amount to \$160 a ton and the 12-cent rate to \$240 a ton. And since the express rates are twice as high as they should be, what shall we say of these rates?

In view of these conditions many advocate the taking over of the express companies by the Government at a fair value and reducing the rates to about one-half for all express shippers and extending the service through rural delivery to the farmer and the country store. They argue that by that method the town delivery system of the express companies can be coupled up with the rural delivery system of the Post Office Department and both with the railways, the result being that there can be a cheap and direct shipment from producer to consumer, and in such quantities as the consumer needs, with benefits and blessings to all and harm and injury to none.

Others are equally sincere in their contention that the buying up of the express companies is not the way to get relief. They contend that the Government would be buying up so much "old junk"; that the Government would have to take over some 50,000 employees of the express companies in order to run the business; that, as a matter of fact, we do not need the express companies; that railroad transportation at reasonable rates and not express-company interference is what we need.

In view of the transcendent importance of the subject to the people of this country and the contrariety of opinion on the same, I indorse the experimental rural parcel-post delivery as contemplated by the bill we have under discussion, as well as the creation of a commission not only to investigate the general parcel post, but the postal express and railway express as well; and all to the end that wise legislation on this subject may soon be enacted that will harm no class of our citizenship, but prove to be a benefit and a blessing to them all.

GOOD ROADS.

The provision of the bill under discussion relative to good roads is as follows:

That for the purposes of this act certain highways of the several States and the civil subdivisions thereof are classified as follows:

Class A shall embrace roads of not less than 1 mile in length upon which no grade shall be steeper than is reasonably and practicably necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide, composed of shells, vitrified brick, or macadam, graded, crowned, compacted, and maintained in such manner that it shall have continuously a firm, smooth surface, and all other roads having a road track not less than 9 feet wide of a construction equally smooth, firm, durable, and expensive, and continuously kept in proper repair. Class B shall embrace roads of not less than 1 mile in length upon which no grade shall be steeper than is reasonably and practicably necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide, composed of burnt clay, gravel, or a proper combination of sand and clay, sand and gravel, or rock and gravel, constructed and maintained in such manner as to have continuously a firm, smooth surface. Class C shall embrace roads of not less than 1 mile in length upon which no grade shall be steeper than is reasonably and practicably necessary in view of the natural topography of the locality, with ample side ditches, so constructed and crowned as to shed water quickly into the side ditches, continuously kept well compacted and with a firm, smooth surface by dragging or other adequate means, so that it shall be reasonably passable for wheeled vehicles at all times. That whenever the United States shall use any highway of any State or civil subdivision thereof which falls within classes A, B, or C for the purpose of transporting rural mail, compensation for such use shall be made at the rate of \$25 per annum per mile for highways of class A, \$20 per annum per mile for highways of class B, and \$15 per annum per mile for highways of class C. The United States shall not pay any compensation or toll for such use of such highways other than that provided for in this section, and shall pay no compensation whatever for the use of any highway not falling within classes A, B, or C. That any question arising as to the proper classification of any road used for transporting rural mail shall be determined by the Secretary of Agriculture. That the compensation herein provided for shall be paid at the end of each fiscal year by the Treasurer of the United States upon warrants drawn upon him by the Postmaster General to the officers entitled to the custody of the funds of the respective highways entitled to compensation under this act.

The provisions of this paragraph shall go into effect on the 1st day of July, 1913.

This is a compromise measure. I introduced at this session of Congress a bill on the subject of good roads; so did about 25 other Representatives. It was agreed by most of those introducing bills that the bill I have just quoted would stand the best chance of any of those introduced of becoming a law at this session; so we all signed a written request to the Rules Committee asking that this piece of legislation be taken up and considered by the House at this time, and as a result of our joint effort the question of Federal aid to the use, maintenance, and improvement of good roads is finally before this House for consideration. I congratulate this House and I congratulate the country. There is no question before the American people to-day that affects so vitally so many homes and so many firesides.

There is no other question for solution before the American public to-day in which the constituents I have the honor to represent are so intensely interested and so vitally concerned. For 100 years or more our development has been hampered and our growth retarded because of the lack of transportation facilities. We hail with delight the day, even the prospect, of the Federal Government becoming interested to the point of assistance in the betterment of our road conditions.

BILL DOES NOT GO FAR ENOUGH.

It is true that this bill does not go far enough. It ought to include a class of roads that do not come up to class C. But it is a step in the right direction, and I shall give it my hearty support.

Mr. MICHAEL E. DRISCOLL. What is that?

Mr. POWERS. A step in the direction—

Mr. KOPP. Will the gentleman yield?

Mr. POWERS. In one moment, when I have answered the question of the gentleman from New York. A step in the direction of furnishing all over this great country highways of such a character that will afford an opportunity for the people who live in the rural districts to have communication with the outside world and an opportunity to get their stuff to market.

Mr. MICHAEL E. DRISCOLL. Has the gentleman figured out how much that may cost?

Mr. POWERS. I have not. It is estimated, however, I understand, that the cost the first year will be about \$16,000,000.

Mr. MICHAEL E. DRISCOLL. Does not the gentleman believe that it will cost at least \$25,000,000,000 to build good roads over the country?

Mr. POWERS. Let it cost whatever it may cost; the States and municipalities and not the Federal Government will have to foot the bill. All that the bill under consideration requires is that the Federal Government shall pay toll or rental for its use of the roads. It is not required to build or construct them.

The fact is that the United States does not own a foot of national roads. Not one.

The further fact is that there is now over 2,000,000 miles of public highways in the United States built by the various States and their various subdivisions. The National Government does not own a foot of them, but uses thousands upon thousands of miles of them.

During this last year there was expended, not by the National Government, but by the States and municipalities, \$150,000,000 on the public highways of this country.

The argument has been made here that it is a wrong principle for the Federal Government to undertake to aid in the construction of good roads.

Mr. KOPP. Will the gentleman yield right in that same line? Does the gentleman understand that this proposed amendment requires the local community, whatever it may be, to apply the aid received from the Federal Government for the improvement of the highways?

Mr. POWERS. I do not have any such an understanding.

Mr. KOPP. That it does not?

Mr. POWERS. That it does not.

Mr. KOPP. Then, if it may be expended for any use that these local communities may see fit, what justification is there for saying that this is for the improvement of the highways?

Mr. POWERS. I am very glad to answer the gentleman's question. From my viewpoint it does not matter where or how the local municipality expends this money. Before the local community can get any money from the Federal Government they have got to have roads up to class A, class B, and class C standards. Whether they get their roads in such condition by local taxation, whether they do it by digging the roads themselves, or in some other way, the fact remains that they have got to have the roads in such a state of perfection before any money is paid by the Federal Government on those roads, and the roads must be continuously kept in such state of perfection by the local authorities.

Mr. KOPP. Now, the gentleman is referring to roads that are to be constructed in the future. What about this subsidy where they pay for roads already constructed? Will we not be simply making a donation to the local community rather than a donation to the improvement of highways?

Mr. POWERS. There is no subsidy to it. If the roads are already constructed by the local authorities and come up to class A, class B, or Class C standard, and if the Government of the United States uses those roads for the purpose of transmitting its mail over them, I see no reason why the Government should not begin paying for the privilege of so doing. It has not done so in the past.

Mr. KOPP. Then the gentleman's position is not so much for the improvement of the highways as it is that he believes the Federal Government should pay the local municipality for the use of the highway?

Mr. POWERS. In answer to the gentleman's question I desire to say that I think it not only fair but right and equitable and just that the Federal Government, if it uses the roads constructed by somebody else for the purpose of doing its own business over those roads, should pay for that privilege; and upon that ground and from that viewpoint I shall support this measure. And I shall support it from another viewpoint and upon another ground, and that is that it will aid and encourage the local communities and municipalities to construct such roads as they will be able to get a rental for them from the Federal Government for their use. It will greatly encourage good road building. To take the position that the Federal Government should not pay rental for the roads it uses in transmitting whatever mail matter it has, is to take the position that the Federal

Government should "sponge" upon the States and the various municipalities in the use of their roads. Is the United States Government a beggar?

Mr. MICHAEL E. DRISCOLL. What would the gentleman say to the Government discontinuing the use of these roads, if they have got to pay \$25 a mile?

Mr. POWERS. In further answer to the gentleman from New York [Mr. MICHAEL E. DRISCOLL] I desire to say this: That the gentleman seems to forget, and other Members seem to forget, that we are all citizens of one great country; that we are all citizens of the United States as well as citizens of the States. And whether this money is to be paid by the States and the various municipalities direct in the building of these roads or whether they are built by us as citizens of the United States, what matters it? They have to be built. It does not seem to me to make a very great difference whether we are taxed as citizens of the United States or as citizens of the States. We have got to be taxed. If the local authorities can accomplish the big task of road building better when aided by the strong arm of the Government, why withhold the aid?

Mr. MICHAEL E. DRISCOLL. What would the gentleman say to the United States Government going into all the cities and paying for all the asphalt pavement for the streets and for the laying of the sidewalks that the agents of the Government travel over?

Mr. POWERS. That proposition on the part of the gentleman from New York [Mr. MICHAEL E. DRISCOLL] is in a way an absurd proposition, but from one viewpoint it would be a just proposition. The distinguished gentleman from Wyoming [Mr. MONDELL] the other day made the argument that to carry this Federal aid to its logical conclusion, when the United States Government sent a United States marshal down into a moonshine district for the purpose of taking into custody some violator of the revenue laws, the Federal Government ought to pay for the use of the roads.

Mr. MICHAEL E. DRISCOLL. Is not the gentleman for that? It would help Kentucky.

Mr. POWERS. One moment. And, carried to its logical conclusion, it would mean that and carried to its logical conclusion it would include that. I have no right and you have no right and the Federal Government has no right to use any other man's property for a time, long or short, much or little, without paying for the use of that property. But such a scheme is impracticable. Nobody, so far as I know, is advocating a thing of that character. But it is practicable that Uncle Sam pay for the use of a road which he uses over 300 days in a year or for any specifically stated number of times.

Mr. MICHAEL E. DRISCOLL. Is \$25 a mile a reasonable rental for one horse and one old rig, driving over the road once a day?

Mr. POWERS. In my judgment, the terms are too high in this bill. They ought to be cut in half; and, in my judgment, another class of roads, known as class D, ought to be included. For instance, if the Government pays \$25 for the use of class A road, it will pay at the rate of about \$2 a trip for a length of 24 miles. That is too much. I am not in favor of putting it that high. It ought to be cut in two, in my judgment.

Mr. MICHAEL E. DRISCOLL. Would not 25 cents or 50 cents a trip be fair toll?

Mr. POWERS. I do not know whether it would or not, but I think the provisions in this bill are too high.

Mr. LEVER. That is what it would be on a low-grade road.

Mr. POWERS. I would like to ask the gentleman from New York [Mr. MICHAEL E. DRISCOLL] if he is in favor of any toll at all?

Mr. MICHAEL E. DRISCOLL. I am not in favor of any toll whatever. The rural routes were established as a blessing and a benefit to the people of the country, and it was provided they should have their roads in proper condition before the routes were established, and now, when they have got the rural free delivery established they demand \$25 a mile, and the gentleman says it is in the right direction. It is an attempt to get the Federal Government to build all the roads throughout the country, and I think that is what the gentleman meant by "right direction."

Mr. POWERS. I can not yield for a speech on the part of the gentleman; but I want to remind him when he takes the position that the rural routes have been established as a matter of favor, that he is wrong. The rural routes have been established not as a matter of favor but as a matter of common justice to the people who live in the country. [Applause.]

Mr. MICHAEL E. DRISCOLL. They are a favor. They do not pay for themselves, and therefore are not engaged in a profitable business.

Mr. POWERS. Neither is the War or Navy Department. The argument has been made that this is an unconstitutional provision, this provision of Federal aid to good roads; that the

Federal Government has no right to pass a law of this character. I am not a constitutional lawyer. I do not assume to instruct the Members of this House on what is or is not constitutional law; but I want to say this: Under Article I of the Federal Constitution, section 8, the Federal Congress has the right to appropriate money for the establishment of post offices and post roads. There is no specific grant in the Constitution empowering Congress to appropriate money for the purpose of paying rent for the use of buildings in which to locate post offices.

The United States Government owns comparatively few of the buildings in this country in which are located United States post offices. The Government rents or leases most of them. It has been doing that since the beginning of the Government.

The Government can not afford to build a public building at every crossroads where a post office is located.

There is no specific grant in the Constitution empowering the Government to lease buildings for certain times on certain terms for the purpose of locating United States post offices therein; and yet nobody denies that the Federal Government has that right. Nobody questions the right and the power of the Federal Government to build public roads over which to carry its mails.

The Constitution says that the Federal Government has got a right to establish post roads. If it has got the right to establish post roads, it has got the right to lease roads and it has got the right to pay for the use of roads, just the same as it has got the right to provide for the location, building, leasing, and renting of buildings in which to locate its post offices.

The gentleman from New Jersey [Mr. GARDNER] raised the point this morning that there is a wide difference between the rivers—that character of highways—and the road highways. He made the point that the United States Government owns the land under the water in the river beds of this great country. I do not understand the law to be that. I understand that, so far as the sunshine of heaven is concerned, so far as the air we breathe is concerned, so far as the use of the water is concerned, or the use of water as a public highway is concerned, we all have the right to the use of them.

But nobody would make the contention that a man owns the air simply because he has got the right to breathe the air. Nobody would make the contention that any man under any Government owns the air or the sunshine because that man has got the right to breathe the air and bask in the sunshine. We have the right to use as public highways the great rivers of the country; but the Government, so far as my understanding of it goes, does not own the river beds or the water in the rivers.

Mr. LANGLEY. Mr. Chairman, will the gentleman permit an interruption?

The CHAIRMAN. Does the gentleman yield to his colleague?

Mr. POWERS. Yes, sir.

Mr. LANGLEY. If the gentleman will permit, the Federal Government merely has supervision of the navigable rivers. It has taken jurisdiction of them, and it can take jurisdiction of the post roads in the same way?

Mr. POWERS. Certainly.

Mr. MICHAEL E. DRISCOLL. Why do you not eliminate your State lines and admit that you are not States because you do not perform the functions of States?

Mr. POWERS. This bill does not infringe upon or interfere with any State rights, unless they are already interfered with by the Government in sending mail all over this country. [Applause.]

This bill is for the purpose of extending to the rural districts some of the things to which they have long since been entitled in common justice and in common fairness. [Applause.] Where have the great appropriations gone that this Congress appropriates from year to year and from time to time? Has that money gone to the rural districts? Have they in any of these appropriations been specifically provided for or specially cared for?

Away back yonder in 1882—30 years ago—the Congress of the United States appropriated for that year over \$11,000,000 for rivers and harbors, \$14,566,638 for naval service, \$3,379,571 for the District of Columbia, \$26,687,800 for the support of the Army, \$68,282,307 for pensions, and how much for the Agriculture Department? The puny sum of only \$335,500. Out of a total appropriation for all purposes that year of \$179,579,000, the small sum appropriated for the Agriculture Department shows how little was spent to specially benefit the farmer. Ten years later, in 1892, our total appropriations had increased to \$323,783,079 for that year. Of this sum, \$2,951,200 was appropriated for rivers and harbors, but over \$25,000,000 had been appropriated for them the year before; \$31,541,645 went for the naval

service, \$5,597,125 to the District of Columbia, \$24,613,529 to the support of the army, \$135,214,785 for pensions, and only \$3,028,153 for the Agriculture Department.

In 1911, last year, our total appropriations amounted to \$663,725,794; \$49,380,541 went to rivers and harbors, \$131,410,568 went to the Navy, \$95,440,567 went to the Army, \$10,608,045 went to the District of Columbia, \$155,758,000 went for pensions, and only \$13,487,636 went to the Agriculture Department.

I do not have the figures just now at my command, but everybody knows that for years the Government has been spending millions of dollars in the erection of customhouses and other public buildings in the various class cities throughout the length and breadth of the land.

This money has been spent for the convenience and accommodation of the people who live in the cities and not for the convenience and accommodation of the people who live in the country. The people who live in the towns and in the country have all these years been paying their full share of the taxes and assuming without complaint their full share of the burdens of running this Government, while the benefits and blessings have gone largely to others. This Congress now has an opportunity to do something for the people who live in the smaller towns, the country, and the rural districts.

If the present Congress will pass this bill, whereby the people living on or near rural routes in the country get cheaper postage on those routes than is accorded to those living in the cities and elsewhere, and will at the same time enact into law that provision of the bill whereby the Federal Government shall pay a just rental for its use of the State and country roads and thereby give aid and encouragement to the crying need of our times, the construction and maintenance of good roads throughout the land, much will have been done to remedy the wrongs done the rural population in the past and all to the glory and betterment of our common country. Your armies, your navies, your fortifications, your rivers, and your harbors, and your pensions, and your Federal buildings—

Mr. MICHAEL E. DRISCOLL. Do not they get their equal share of all these improvements?

Mr. POWERS. Oh, no. They do not get their equal share of all these improvements.

Mr. MICHAEL E. DRISCOLL. And do not they get the same share of the public defense that the cities get?

Mr. POWERS. These public buildings that are erected in the various cities of the country are largely erected for the convenience of the people living in those cities, and not for the convenience or comfort of the people living in the country.

Mr. LOBECK. Mr. Chairman, will the gentleman now yield?

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from Nebraska?

Mr. POWERS. I yield to the gentleman.

Mr. LOBECK. The gentleman's idea is that if an appropriation is made as proposed in this bill it is to repay the local communities for money and labor expended in making these roads passable and more convenient?

Mr. POWERS. Certainly.

Mr. LOBECK. And thus lessen the cost of transportation of the farmers' heavy products—their grain, and all that—so that indirectly it will lessen the cost of living in the larger cities?

Mr. POWERS. It will have that effect.

Mr. MICHAEL E. DRISCOLL. And you want to make the Government pay toll to the farmers for carrying their own products to market.

Mr. LOBECK. I believe in having good roads in this country and thus lessen the cost of products.

Mr. FOCHT. I wish to say that I am heartily in favor of the Government constructing public roads at the proper time and for the proper purpose, but I want to ask the gentleman from Kentucky whether he conceives of this bill reimbursing the States or counties or townships for the construction of public highways in such a way that he would regard it as involving the reimbursement to the State of Pennsylvania, for example, of \$5,000,000 which that State had expended on public highways?

Mr. POWERS. I would say in answer to the gentleman from Pennsylvania that it is not a reimbursement at all. From the passage of this bill and from that time on the States and various subdivisions are to be paid by the Federal Government for the use of their public roads for the purpose of carrying the United States mails; and if the State of Pennsylvania has expended millions of dollars upon its public highways, if it has a splendid system of roads, if it stands superior to other States in that respect, Pennsylvania will reap the reward by having its roads now in such a condition that the rental will be paid at once by the Federal Government for the use of those roads in the transmission of the mails.

Mr. LEVER. Is it not proposed to do in this bill the fair and equitable thing of paying to the States and corporations exactly what they have furnished the Government?

Mr. POWERS. Certainly; that and nothing more.

Mr. LEVER. If they have given the Government a good road, the Government will pay them accordingly; and if they have given the Government a bad road, they will get little?

Mr. POWERS. That states the case clearly.

Mr. LANGLEY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to his colleague?

Mr. POWERS. Yes, sir; with pleasure.

Mr. LANGLEY. Reference has been made to the expense that might be incurred by the Federal Government in carrying out this or any other scheme similar to it—

Mr. POWERS. Yes, sir.

Mr. LANGLEY. Does not the gentleman find from his investigation of the subject that whatever that expense may be it is a comparatively small matter compared with the cost of transportation over bad roads? In other words, that the cost to the Federal Government will be many times recompensed in the resulting benefits to the people, and especially to the farmers, who have had far too little consideration from the Government?

Mr. POWERS. The gentleman is correct; and whatever is a saving to the citizens who constitute the Government is a saving to the Government. Whatever helps one helps the other.

This is fair legislation. It is just legislation. It is legislation in which the people I have the honor to represent are vitally concerned.

I believe this House will pass, possibly with some amendments, the good-roads provision in this bill. I hope it will pass, with some needed amendments, this experimental parcel-post legislation. The parcel-post legislation as provided for in this bill will help the country farmer. It could be so amended as to help him more. It will not hurt, but ought to benefit, the country merchant. This bill ought to be so amended that the commission to be appointed under its provisions shall have the power to investigate, not only the general parcel post but the postal express and the railway express, to the end that just and fair and wholesome legislation may be recommended. It should make its report on or before Congress commences in December so the people can get the relief to which they are justly entitled.

Mr. SULZER. Mr. Chairman, the New York Press is one of the leading newspapers of this country—fearless, able, progressive, and always advocating reform measures in the interest of all the people. For years it has been the earnest and consistent champion of a general parcel post, and never misses an opportunity to keep the people informed regarding the progress that is being made to enact legislation to place upon the statute books a general parcel-post law.

In this connection I send to the Clerk's desk and ask to have read in my time an editorial from the New York Press, of Friday, April 26 instant.

The Clerk read as follows:

PARCEL POST IN THE SHADOW.

It is unfortunate that the marine disaster which has agonized the world for the last 10 days, and the inquiry thereinto by a Senate committee at Washington, should chance to overshadow in the newspaper reports the debate in the House of Representatives on the parcel-post legislation pending.

If the enemies of the parcel post had calculated the time when the facts in support of the parcel post would be buried in the pages of the CONGRESSIONAL RECORD and dismissed with scant paragraphs in publications widely circulated they could not have chosen a better period to obscure the argument in behalf of parcel-post facilities than one made so inopportune by an act of God.

Nevertheless, the reasons in detail why the parcel post should be established in the United States mail service are going to be thoroughly understood by all the people when the country is made acquainted with the facts set forth in the Congress debates. Already the public appreciation of the advantages to be gained by increasing the limit of fourth-class matter to 11 pounds with a cut in the prohibitive postage rate is widespread. It is so keen, even though the debate on the Sulzer amendment was almost ignored while interest centered on the tragedy of the *Titanic*, that no Representative whose vote reveals his sympathy with the express monopoly can hope to excuse himself to the voters when he is up for reelection.

Mr. SULZER. Mr. Chairman, that editorial speaks for itself, and I am glad to put it in the Record as a part of the literature on this debate for a general parcel post.

Mr. MOON of Tennessee. Mr. Chairman, does the gentleman wish to use some of his time?

Mr. GARDNER of New Jersey. I have some gentlemen who wish to be recognized in order to extend their remarks.

Mr. MOON of Tennessee. An order has already been made to allow gentlemen who have spoken to extend their remarks, and those who have not made remarks will be permitted to print.

Mr. GARDNER of New Jersey. Then I do not desire to occupy further time now.

Mr. MOON of Tennessee. Then I yield to the gentleman from Virginia [Mr. SAUNDERS] 25 minutes.

The CHAIRMAN. The gentleman from Virginia [Mr. SAUNDERS] is recognized for 25 minutes.

Mr. SAUNDERS. Mr. Chairman, on April 15 I introduced in this body a resolution providing for the consideration of the bill making compensation for the use of post roads as an amendment to the Post Office Appropriation bill. This resolution was favorably reported by the Committee on Rules and adopted in the House by a large majority. It is in the following terms:

House resolution 494.

Resolved, That after the adoption of this rule it shall be in order in the consideration of H. R. 21279, a bill making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes, to consider the amendment to said bill hereafter to be mentioned, notwithstanding the general rules of the House.

On page 25, at the end of line 8, the following to be inserted:

"That for the purposes of this act certain highways of the several States, and the civil subdivisions thereof, are classified as follows:

"Class A shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide composed of shells, vitrified brick, or macadam, graded, crowned, compacted, and maintained in such manner that it shall have continuously a firm, smooth surface, and all other roads having a road track not less than 9 feet wide of a construction equally smooth, firm, durable, and expensive, and continuously kept in proper repair. Class B shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide composed of burnt clay, gravel, or a proper combination of sand and clay, sand and gravel, or rock and gravel, constructed and maintained in such manner as to have continuously a firm, smooth surface. Class C shall embrace roads of not less than 1 mile in length upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, with ample side ditches, so constructed and crowned as to shed water quickly into the side ditches, continuously kept well compacted and with a firm, smooth surface by dragging or other adequate means, so that it shall be reasonably passable for wheeled vehicles at all times. That whenever the United States shall use any highway of any State, or civil subdivision thereof, which falls within classes A, B, or C, for the purpose of transporting rural mail, compensation for such use shall be made at the rate of \$25 per annum per mile for highways of class A, \$20 per annum per mile for highways of class B, and \$15 per annum per mile for highways of class C. The United States shall not pay any compensation or toll for such use of such highways other than that provided for in this section, and shall pay no compensation whatever for the use of any highway not falling within classes A, B, or C. That any question arising as to the proper classification of any road used for transporting rural mail shall be determined by the Secretary of Agriculture. That the compensation herein provided for shall be paid at the end of each fiscal year by the Treasurer of the United States upon warrants drawn upon him by the Postmaster General to the officers entitled to the custody of the funds of the respective highways entitled to compensation under this act.

"The provisions of this paragraph shall go into effect on the 1st day of July, 1913."

Mr. Chairman, the era of national aid to state roads has arrived, and whatever form the opposition to that policy may take, whether the form of constitutional quibbles, or the form of freak or humorous amendments, such as propositions to pay for the use of the sidewalks in the cities, or the form of amendment ostensibly in aid of the bill, but really an embarrassment to the true friends of the measure, who have labored in season, and out of season to put this principle into working shape, these efforts one and all will be found as futile to stop the progress of this movement, as Mother Partington's mop proved to be as a weapon of defense, in her famous contest with the encroaching waves of the Atlantic Ocean. This bill rests upon constitutional authority, and its operation will interfere with no single one of those state functions, whose beauties and merits have been so eloquently acclaimed by some of the participants in this debate.

The gentleman from Illinois [Mr. MADDEN] spoke of the delight with which he paid his local taxes in aid of good roads. It is not proposed to interfere with the exquisite pleasure of that experience, or to take anything from its felicitous charm.

Under this bill he may not only continue to pay local taxes with all the pleasurable emotions attendant on that operation, but when so minded he may increase the measure of his delight in that process, by increasing his contributions to the roads of his community. There is not a friend of this amendment who will seek to hinder him from pursuing this charming, this patriotic course, of aiding local enterprise, in the rôle of a cheerful giver.

The gentleman from Massachusetts [Mr. McCALL] spoke of this measure as interfering in some wise, not very clearly depicted, with the functions of the States, and as tending toward centralization. I do not recall that New England was affected with this form of apprehension, when we passed the law for the White Mountain Reserve, a proposition for an expenditure of public money which rests upon a far more insufficient foundation, whether in reason, or in the Constitution, than the proposition to aid the construction and maintenance of post

roads in the States, by means of a national appropriation. Many gentlemen who have criticized the pending proposition, have very clearly shown by the nature and character of their criticism, that they are absolutely unacquainted with the terms, the purport, and the purpose of this measure.

The gentleman from Texas [Mr. SLAYDEN] in the course of his remarks, referred with just pride to the liberal attitude of his people toward the cause of good roads, and the extent of the local contributions in aid of that cause. We are mindful of the fact that many States in this Union have done splendid work in this direction.

The thrill of the movement for betterment of roads, is being felt in every State, and I rejoice that it is so. But may I ask my friend from Texas, and the other gentlemen from the other States who have assailed this measure, how and wherein, will a supplemental fund derived from the National Treasury by direct appropriation, paralyze local effort, or hinder the work of local development?

In many of the States, notably in my own, the roads are established and maintained by local taxation, with an auxiliary state fund that is afforded upon prescribed conditions. Just a moment ago I was talking with a Member from New Jersey, and he mentioned the fact that in his State, as in Virginia, the county and local contributions to the road fund were supplemented by state aid. In that instance did state aid paralyze the arm of the community? Did state aid cause a recession of local activities? On the contrary, as a direct and immediate result of cooperation of effort, the State of New Jersey affords a most splendid illustration of what can be done by united endeavor in the way of securing good roads of the highest type. When county aid is supplemented with state aid, and state aid is supplemented with national aid, pray tell me why this aggregate aid may not be efficiently employed, or why national aid will operate to paralyze local endeavor, when state aid has merely served to energize it? In the great fight now in progress in the Mississippi Valley between the States, and the Father of Waters, do the States disdain the help of the Nation on the ground of its paralyzing effect on local activities, and local contributions?

There is no great nation of the modern world which has not aided the local communities in respect both of construction and maintenance of highways, and the nations pursuing this policy are noted for the excellence of their roads. In this regard the Republic of France is the wonder of the civilized nations. But to achieve her present state of supremacy in the matter of improved highways France, as a nation, has spent over 3,000,000,000 francs upon her roads. This fact explains in large measure the present prosperity of that country. A few days ago the French Government called on its people for bids on a bond issue of \$60,000,000. In the briefest possible time bids aggregating over \$400,000,000 were received. Comment is unnecessary. To-day France, which has done so magnificently in the direction of national aid to roads, has in contemplation a scheme of canalization of her rivers. This is but another form of domestic improvement in aid of internal commerce, and like her roads, these canals will further increase the commercial facilities and aggregate wealth of that wise and thrifty people.

Why should this great nation, a nation that in other respects stands in the very forefront of the nations, hesitate to pursue a course that has been pursued in other countries with such splendid results? Is our authority to enact this measure questioned? Consider for a moment the authority of the Federal Government over rivers and harbors. The National Government exercises at present the right to regulate the height of bridges over navigable streams, to determine whether these bridges shall be built, to provide that bridges if built, may be built by private corporations, with the right to charge tolls, to provide for the taking of private property to afford approaches to the bridges, to provide that feeders leading into channels of interstate commerce may be constructed, and to that end that the land of private parties may be condemned.

These are great powers. Whence are they derived? From any express grant of authority in terms, in the Constitution? Not at all. All of this gigantic power, so freely used at times, is derived from the commercial power, the power to regulate commerce among the States. Under authority of that clause, Congress has spent over \$600,000,000, on the improvement of rivers and harbors, on lighthouses, and warning signals. The power to do these things is not given by express grant. In the case of post roads the Constitution declares that Congress shall have the power to "establish post roads, and post offices." But the power to dredge rivers and harbors, to control navigable streams, and to provide for the construction of interstate bridges, or bridges over navigable rivers entirely within one State, has been derived by subtle judicial construction

from the simple declaration of the Constitution that the Congress may regulate commerce among the several States. Apart from the clause relating to post roads, the Congress has the power under the commerce clause, as it is now construed, to construct, improve, and maintain interstate highways by water, or by land, and the further power to construct, improve, and maintain, any and all public highways by water, or by land, which connect with, or intersect, or lead into such interstate highways, if these works are deemed essential to the regulation of commerce. The fact that Congress has not put into exercise its right to regulate commerce between the States, by the construction and improvement of highways across, and in the several States, does not argue that this power does not exist.

In the case of *Mobile v. Kimball* (162 U. S., p. 685), involving the question of the right of Alabama to enact a law for certain improvements in the harbor of Mobile, Justice Field declared that:

Inaction of Congress on these subjects, unlike inaction upon matters affecting all the States, and requiring uniformity of regulation, is not taken as a declaration that nothing shall be done with respect to them, but is rather to be deemed a declaration that for the time being, and until Congress chooses to act, they may be regulated by State authority.

In the case of *Clinton Bridge* (10 Wall., 454), Justice Wilson held that the power vested in Congress to regulate commerce with foreign nations, and among the several States, includes the control of the navigable waters of the United States, so far as may be necessary to secure their free navigation, and by navigable waters of the United States are meant such as are navigable in fact, and which by themselves, or their connection with other waters, form a continuous channel for commerce with foreign countries, or among the States.

In *Luxton v. North River Bridge Co.* (153 U. S., 525), construing an act authorizing the construction of a bridge between New York, and New Jersey, and making it a post road, the court held that:

Congress may create corporations as appropriate means of executing the powers of government, as for instance, a bank to carry on fiscal operations in the United States, or a railroad corporation for the purpose of promoting commerce among the States.

Congress being empowered to regulate commerce between the States, and pass all laws needful to carry into execution any of the powers specifically conferred, may make use of any appropriate means to that end. To such an extent is this principle carried, that it is declared that—

Whenever it becomes necessary for the accomplishment of any object within the authority of Congress to exercise the right of eminent domain, and take private lands, making just compensation to the owner, Congress may do this with, or without a concurrent act of the State in which the land lies. (*Van Blocklin v. Tennessee*, 117 U. S., 154.)

In *Indiana v. United States* (148 U. S., p. 148) we find the following:

Congress has likewise the power exercised early in this century by successive acts in the case of the Cumberland, or National Road from the Atlantic across the Alleghenies to Ohio, to authorize the construction of a public highway, connecting several States.

Of course if such a highway may be authorized and constructed, highways leading into this highway, and forming thereby a continuous channel of commerce, may also be constructed under this and other authority. In *California v. The Pacific Railroad* (127 U. S.), it was adjudged that Congress has authority in the exercise of its power to regulate commerce among the several States, to authorize corporations to construct railroads across the States, as well as the Territories of the United States. In this connection Mr. Justice Bradley, speaking for the court, is quoted:

It can not be doubted at the present day that Congress under the power to regulate commerce among the several States, as well as to provide for postal accommodations, and military exigencies has authority to pass these laws. The power to construct, or to authorize corporations, or individuals to construct national highways, and bridges from State to State, is essential to the complete control, and regulation of interstate commerce.

Without authority in Congress to establish such highways and bridges, it would be without authority to regulate one of the most important adjuncts of commerce. This power was exercised in former times to a very limited extent, the Cumberland or National Road being the notable example. Its exertion was but little called for, as commerce was then mostly conducted by water, and many of our statesmen entertained doubts as to the existence of the power to establish ways of communication by land.

But since in consequence of the expansion of our country, the multiplication of its products, and the invention of railroads, and locomotion by steam, land transportation has so vastly increased, a sounder consideration of the subject has prevailed, and led to the conclusion that Congress has plenary power over the whole subject.

These citations would seem to afford conclusive authority for the proposition that Congress enjoys the right under the commerce clause to construct, and maintain in any portion of the Union, roads that are a part of a general scheme of regulation of commerce, and as such, and to that end, parts of an interstate highway. This power is enjoyed altogether apart from the power to establish post roads. It is the power to

construct, or have constructed highways, for the complete regulation, and control of commerce.

So that the authority of the Federal Government to construct and maintain roads may be referred to the power to regulate commerce. But there is another provision of the Constitution to which this power may be more directly and immediately related, namely the clause affording the Congress the express power to establish post roads. There is no need to interpret this section. It carries its own meaning plainly and obviously. When this power to establish is once exercised, jurisdiction over the roads established, attaches forthwith, along with the obligation of maintenance, as a national function. The extent of Federal authority over post roads, established by mere use, and not by construction, was settled in the famous *Debs* case.

Whatever may have been the real attitude of the "fathers of the Constitution", toward the actual construction of roads across the States, and within the States, with the incidents of Federal jurisdiction and control, whatever they may have had in mind as the real meaning, and the definite limits, of the words used relating to the commercial power, and the establishment of post roads, that meaning, and that attitude are no longer more than a moot question. The accumulated decisions which I have cited in part, decisions rendered in a long course of interpretation of our organic law, make it abundantly clear, that to-day Congress may not only build and maintain post roads under the clause to that effect, but under the commercial power may construct highways across the States, or permit them to be constructed, and then provide for feeders within the States, retaining over the whole system Federal jurisdiction and control, and maintaining the same at the national expense.

These great works Congress could justify as being not only within its powers, but as promoting that general welfare contemplated by the Constitution, so that if our power to enact the pending bill, and afford the payments provided, is challenged, our answer is ample. We are far short, and designedly so, of exercising the powers that might be called into operation. Every feature of Federal control over state roads, or interference with state, or local functions, has been carefully eliminated. The Congress if so disposed, might establish and control an elaborate system of national roads. It is satisfied to use existing roads, and afford compensation for that use. To exercise its undoubted powers to the fullest extent, would entail vast expense, arouse antagonisms, and create friction in the States and local communities. Foregoing the ultimate exercise of these powers, it is content under the proposed measure to utilize only so much of them as may be needed to enable it to extend effective aid to the maintenance of the general system of post roads now in use, for transporting rural mails in the United States. This is a conservative measure and ought to appeal to conservative minds. Should this plan be rejected, a more objectionable and radical one might be adopted in the near future.

A feature of unusual merit in this measure, is the just discrimination with which its aid is afforded. While the largest measure of aid is extended to the communities which in largest measure have aided themselves, a helping hand is tendered at the same time to the communities which are willing, but unable to construct, or maintain, improved highways with the slender resources at their command. States that show the largest mileage of improved roads falling in class A, or class B, will receive the larger rentals provided for roads in those classes, and as compared with other States, a proportionately greater total payment. The lowest rental is provided for the great aggregate of roads embraced in class C.

Communities that have built good roads, will find their reward in this bill. Communities that desire to build goods roads, will be encouraged to go forward. Every community will be stimulated to construct more hard roads, and to transform existing dirt roads into improved highways, in order to receive the larger compensation attaching to permanent roads falling in the two first classes. The critics of this measure seem to fancy that the roads of the States are to be exclusively constructed, or maintained, by the appropriation which it carries. Nothing of the sort. It is merely a supplement to local efforts. A permanent road on which the State spends \$25 per mile, per annum, for maintenance, may not be very adequately maintained by that expenditure. But the expenditure of \$50 per annum, per mile, may be ample for efficient maintenance. It is the purpose of this bill to afford the additional \$25.

The cost of maintenance for a well-constructed dirt road, depends upon a number of factors, and is a fluctuating quantity. Many of these roads can be well maintained during a large portion of the year, on an expenditure of \$10 per annum, per mile, and admirably maintained on an expenditure of \$25 per annum, per mile. This bill will afford \$15 per mile, and the

local authorities will be required to provide the additional amount needed to maintain the road to the prescribed standard.

The State of New York will be entitled to something like \$1,000,000 per year when its roads are conformed to the requirements of this measure. Will the gentlemen from that State who either directly, or indirectly, are opposing this plan of national aid to state roads, undertake to tell this House that this large sum will be rejected, or that if received as a supplement to state contributions, it will not give impetus to the state and local activities in the great cause of road improvement?

The State of Texas is interested in this measure to the extent of about \$800,000 per annum. That great State boasts of what it has done in the way of road building, and it is conceded that its record in this respect is altogether creditable. Will the Representatives from Texas tell this House that the sum of \$800,000 as an addition to their state and local contributions, is a negligible item, or that once in hand this considerable sum, will not energize and stimulate the whole scheme of road building in that State? If road building is a state function, a material increase of road funds will induce a more efficient discharge of that function. Throughout the Union, in every State, and in every community, the stimulating effect of the compensation contemplated by this bill will be noticeably felt. The sentiment of the country favors permanent roads, or hard roads as they are sometimes styled, and the general tendency is toward their construction, but for the present many communities are unable to build them. During the transition era, and until the existing roads are replaced by the ultimate form of permanent roads, the dirt roads should be maintained in the form most suitable for efficient use. Hence the provision of the bill in aid of dirt roads.

Mr. BEALL of Texas. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS. Certainly.

Mr. BEALL of Texas. The gentleman has made reference to the fact that under the provisions of this bill he estimates that Texas will get about \$800,000 annually.

Mr. SAUNDERS. Yes.

Mr. BEALL of Texas. Can the gentleman give us any estimate as to how much burden it will be upon the people in order to get that \$800,000 into the Federal Treasury?

Mr. SAUNDERS. I can not. All money raised through taxation is derived from the people, but I am not prepared to say what it costs to put \$800,000 into the Federal Treasury.

Mr. BEALL of Texas. Has not the gentleman frequently argued that in order to get one dollar into the Federal Treasury by the present system of taxation, the people have to bear a burden of from five to ten dollars?

Mr. SAUNDERS. No, Mr. Chairman, I have never made that argument. If the State of Texas, or any other State represented upon this floor, has any scruples with respect to receiving the amount to which it will be entitled under the bill, permit me to say to these gentlemen that there are other States that will gladly undertake to relieve them from that embarrassment. [Applause.]

Mr. Chairman, my friend's argument goes further than he might be disposed to extend it, and has other applications that he might be unwilling to make. I might ask him how much does it cost the people of the whole country to raise the money that has been expended for the purpose of destroying the boll weevil in the State of Texas? [Applause.] Did he favor the expedition that was sent to Central American to secure a species of ant supposed to have a blood feud with the elusive weevil, and to pursue him with unrelenting and implacable hostility? The gentleman from Texas might well be asked how much does it cost the public, the general mass of taxpayers, to raise the money that has been used to improve the rivers and harbors of his State? I have no information that Texas has declined to receive the benefits of that expenditure. Upon what theory of the Constitution do gentlemen justify expenditures for these objects, while they assail appropriations for roads with flouts and jeers? That instrument does not even mention the boll weevil, and is strangely reticent as to rivers and harbors.

The gentleman from Wyoming [Mr. MONDELL] made a vigorous attack upon this bill, and likened the Government when paying the rentals for which it provides, to Santa Claus, distributing gifts at Christmas. I understand that Uncle Sam on one occasion played the rôle of Santa Claus to the little hamlet of Sundance in Wyoming, and handed over a Christmas package in the form of a public building, without any protest from that State. [Applause.]

It is doubtless true that Uncle Sam has distributed his gifts to some unworthy recipients. His activities are manifold. He is building roads and other public works in many quarters of the world. He has played the part of Santa Claus to the Porto

Ricans, the Panamans, the Filipinos, to the rivers and harbors to the extent of \$800,000,000, and to the railroads in aid of their development by donations of public lands aggregating over 197,000,000 acres. It is now proposed that he shall play Santa Claus for the benefit of the American farmers. Is there objection? [Applause.]

Mr. BEALL of Texas. I do not want to needlessly consume the gentleman's time—

Mr. SAUNDERS. I am willing to yield.

Mr. BEALL of Texas. The gentleman has replied to a statement I made. Would it interfere with the gentleman's course of remarks if I quoted here a statement by a very distinguished Virginian?

Mr. SAUNDERS. Oh, not at all.

Mr. BEALL of Texas. It is a letter written by Mr. Thomas Jefferson to Mr. Madison:

Have you considered all the consequences of your proposition respecting post roads? I view it as a source of boundless patronage to the Executive, jobbing to Members of Congress and their friends, and a bottomless abyss of public money. You will begin by only appropriating the surplus of the post-office revenues; but the other revenues will soon be called in to their aid, and it will be a scene of eternal scramble among the Members who can get the most money wasted in their State, and they will always get most who are meanest.

Mr. SAUNDERS. I will give the gentleman a declaration of Democratic principles somewhat later than that of Mr. Jefferson, and one which he has possibly overlooked.

Mr. BEALL of Texas. Can the gentleman give a declaration of Democratic principles that is better than Mr. Jefferson's?

Mr. SAUNDERS. I think so, on this subject at least. [Applause.]

Mr. BEALL of Texas. Very well.

Mr. SAUNDERS. The Democratic platform of 1908 contains the following plank:

We favor Federal aid to State and local authorities in the construction and maintenance of post roads.

[Applause.]

I might say that the pending proposition is not the one criticized by Mr. Jefferson. This proposition confers no patronage upon the President, affords no opportunity of jobbing the Members of Congress, and does not open a "bottomless abyss of expenditure." The limits of expenditure are carefully fixed, and no money will be expended under its provisions until, and unless, the roads to which they relate, conform to the standards prescribed.

Mr. BEALL of Texas. Will the gentleman yield further?

Mr. SAUNDERS. Yes, with pleasure.

Mr. BEALL of Texas. Can the gentleman explain why there is no provision in this bill stipulating that this money that is to be paid by the Federal Government shall be used for the purpose of construction and maintenance of public roads? In other words, is not the gentleman familiar with the fact that the friends of this measure have refused to incorporate in this bill a provision that it shall be used for the purpose designated in the Democratic platform.

Mr. SAUNDERS. When the gentleman and myself studied law, we learned a maxim to the following effect: That is certain, which can be rendered certain. *Id certum est, quod certum reddi potest.* Under the provisions of our bill, it is sufficiently certain that the money which it appropriates will be applied upon the public roads. [Applause.]

Mr. BEALL of Texas. Will the gentleman yield? Is not the gentleman in favor of the bill stipulating the use that shall be made of this money?

Mr. SAUNDERS. No further than it does in its present form. It is sufficiently explicit on that point.

Mr. BEALL of Texas. Why not?

Mr. SAUNDERS. For the very reason that under the terms of the bill the roads must be maintained to a prescribed standard as a condition precedent to the right of the localities to receive these rentals.

Mr. BEALL of Texas. Then why not say so?

Mr. SAUNDERS. The bill says so, substantially and sufficiently.

Mr. BEALL of Texas. Why not say so in direct terms?

Mr. SAUNDERS. Well, it is sufficiently stated, and when a thing is stated sufficiently I believe that is tantamount to a direct statement.

Mr. JACKSON. Will the gentleman yield for a suggestion right on that point?

Mr. SAUNDERS. Yes.

Mr. JACKSON. We have in our State, in one of the counties, and I think more than one, the case of a railroad which is practically owned by the municipality and State. We have to have some bridges and approaches over which the railroad passes. Does not the gentleman think it is entirely consistent now that these railroads which belong to the municipality,

these bridges, and so forth, should receive, or rather the municipality should receive, their share of the mail contracts that pass over them, and this law is on all fours in principle with that proposition, that the county and State railroads should receive their share of the money paid for mail contracts?

Mr. SAUNDERS. Precisely. The gentleman's interruption suggests one detail to which I wished to advert a moment ago, and that is the suggestion that this bill should provide payment for the streets and sidewalks used in the cities by the city and other carriers. I am not acquainted with the laws of any State that provide that state appropriations in aid of good roads shall be expended upon the streets and sidewalks of the municipalities. In my own State there is a state appropriation in aid of roads, that is pro-rated among the counties. This amount is derived from the general taxes, and not a cent of it is expended in any city of the State.

The reason for this is that the cities, as a result of the charters of incorporation which they derive from the State, are supposed to have distinct advantages over the rural and unincorporated communities. The legislature confers these charters upon them, and in consideration of this fact, as well as of the further fact that the cities are directly benefited by the improvement of the highways, it is believed that the general assembly is justified in applying the road fund exclusively to rural roads. The cities recognize their immediate interest in road improvement, and afford generous aid in this direction. The commercial interests of the cities are effectively promoted by any general improvement in the means of commercial communication.

Mr. MADDEN. What would the gentleman say in cases where the cities make no contributions to the local authorities for the construction of roads?

Mr. SAUNDERS. That does not affect the question. The roads in those States would still receive their appropriate aid under the pending bill which my friend is opposing. I simply used the illustration in respect of state aid to show that in applying the benefits of this bill exclusively to rural roads, we are following the analogy of the States which do not apply state aid to streets and sidewalks, and to show further by the experience of the States, that national aid will not paralyze local endeavor, that it will be a help not a hindrance.

Mr. MADDEN. In the State of Illinois the State makes no contribution whatever either to the country road or city street. All of the streets are built by assessment against the abutting property, and all the highways are built in the same manner.

Mr. SAUNDERS. Did not your last national platform advocate national aid to roads?

Mr. MADDEN. They simply contemplated state aid.

Mr. SAUNDERS. Do you mean to say that when your platform uses the following language—

We recognize the social and economic advantages of good country roads, maintained more, and more largely at public expense, and less and less at the expense of the abutting property owner—

it merely meant to say to the people of the country that you favored state aid in the construction, and maintenance of country roads?

Mr. MADDEN. Read the platform.

Mr. SAUNDERS. Do you mean to say that was all you meant by this plank of your platform?

Mr. MADDEN. Undoubtedly.

Mr. SAUNDERS. If the gentleman from Illinois and his party are satisfied to juggle with words after that fashion, then it is easy to understand why the voters repudiated that party at the last election. You were writing a national platform for the purposes of a national campaign, and the plain and ordinary sense, and necessary implication of the words used, constitute a sufficient declaration in favor of national aid to roads. The next sentence merely commends what the States are doing and have done, in aid of roads. It is not a declaration of principle, or party attitude. Now when the gentleman is confronted with his platform, he repudiates its obvious meaning, and declares that it does not mean what it plainly and manifestly intends. No wonder the country repudiated your party. It will repudiate any party that says one thing in its platform and means another.

Mr. MADDEN. Will the gentleman do the House the kindness to read what the platform says?

Mr. SAUNDERS. I have read it. I read it this morning, and I will now reproduce the sentence to which the gentleman evidently refers:

In this work we commend the growing practice of State aid, and we approve the efforts of the Agricultural Department by experiment, and otherwise, to make clear to the public, the best methods of road construction.

We too commend what the States have done, and the purpose of this bill is to enable them to discharge a local function, so called, in a more efficient manner. Does the gentleman speak

for his side of the House in the interpretation which he has placed on the Republican platform? Are you all agreed that your platform merely intended to pat the States on the back, and to compliment them on what they had done in aid of roads?

Reverting to the citation from Mr. Jefferson's writings submitted by the gentleman from Texas, I wish to say that Mr. Jefferson's attitude toward national aid to roads was largely the attitude of his day. The same constitutional objections which were urged against appropriations for highways, were invoked against appropriations for rivers and harbors. But appropriations for the latter objects, have become a fixed policy of this Government, and the objection to this expenditure on constitutional grounds, is no longer urged. The Constitution of to-day, is not the Constitution as Mr. Jefferson understood it. The powers of the Federal Government under that instrument have been immensely enlarged by successive decisions of the Supreme Court. In a sense the Constitution has been rewritten.

Mr. Jefferson's suggestion that appropriations for roads, would lead to a scramble among the Members to secure the most money to be wasted in their respective States, is a suggestion of far-reaching significance. If accepted as a principle of general application, it would serve to eliminate many present forms of national activities which are regarded as essential to our national progress, and domestic development. It would bring appropriations for rivers and harbors, for internal waterways, and coastwise canals to a summary halt. It would require a cessation of our activities in the matter of public buildings. The argument that appropriations for roads will open a "bottomless abyss," once conceded to be sound, is equally potent against appropriations for rivers and harbors, and public buildings. Mr. Chairman shall we refrain from action that is admitted to be moderate and constitutional, lest our successors in their day, shall take action that will be both immoderate and unconstitutional? We are charged with present duties. In their own time our successors must work out the problems of their day and generation.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. SAUNDERS] has expired.

Mr. SAUNDERS. I would like the gentleman from Tennessee [Mr. Moon] to give me a few minutes more—10 minutes, say.

Mr. MOON of Tennessee. I have not the time. I would be glad to yield it if I could. I suppose, on account of one gentleman having dropped out of the debate, I could give the gentleman from Virginia five minutes additional.

Mr. SAUNDERS. Very well. I will take five minutes. Mr. Chairman, whenever any new form of expenditure is suggested, there are always some gentlemen who shiver with apprehension of approaching disaster, and vehemently suggest that such a policy will bankrupt the Treasury. That argument has been made and insisted upon with respect to the effect of the pending amendment. And yet it is undoubtedly true, that no nation has ever bankrupted itself by voluntary contributions to works of internal development. Consider for a moment the great countries of the world with their staggering burdens of public debt. The public debt of Great Britain is \$3,669,931,350, of France \$5,898,675,451, of Russia 4,558,152,565, of Italy \$2,602,299,757, of Austria-Hungary \$1,063,725,105, of Japan \$1,287,604,261. The figures are appalling and they tell a story of insensate and incredible folly. These gigantic sums represent chiefly either indebtedness for wars that are past, or preparations for wars to come. It is only when you touch the pride of a nation, it is only when you play on the apprehensions of a people, it is only when you arouse the fears of the timid, or quicken the pulse of vaulting ambition, that burdens are lightly assumed which in the result retard the progress of civilization in its happiest and most attractive forms. Education, waterways, commerce, roads, everything is starved to pay for mighty armies and fleets of huge tonnage. The utilities give way to the futilities, the machinery of construction, is superseded by the devices of destruction, the country is impoverished by the exaction of excessive sacrifices.

Take as an illustration the colossal waterway that we have undertaken to construct across the Isthmus of Panama, at a cost of something less than \$400,000,000. It is computed that the annual interest and other charges on this work, including the cost of the large garrisons that will be maintained at Panama, will be about \$35,000,000. The annual revenue will be about \$1,000,000 for quite a while to come. This is losing money at a great rate. The Panama Canal from an economic standpoint, was originally indefensible. As a commercial, dividend-returning proposition, it is hopeless. Yet this country freely, cheerfully, voluntarily, assumed the obligation to construct "the big ditch," without a thought of the ultimate cost. To-day this project is justified as a war measure, as a part of the national defense. Should war arise, say with Morocco, or Per-

sia, or Arabia, the Pacific fleet can be transferred to the Atlantic by way of this canal. Should Cochín China, or Borneo, or Kamschatka assail us, the Atlantic fleet can be rushed to the Pacific by the same waterway. This facility of transfer, is supposed to justify our investment.

Should the friends of good roads propose to spend \$400,000,000 on domestic improvements, upon highways that our children, and our children's children to the remotest generation will use, as the men of to-day are using the roads that Rome built when she sent her legions to the four corners of the earth, the advocates of military expenditures, and of elaborate schemes of national defense against chimerical antagonists, would protest in the name of economy against this expenditure, and appeal to the country to reject a scheme involving so extravagant an application of public money.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Illinois?

Mr. SAUNDERS. I have yielded freely heretofore to interruptions, but I have little time remaining. Will the gentleman supply me with additional time, if I yield? If I had the time, I would gladly yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. SAUNDERS. Mr. Chairman, in a nutshell, this is what our bill will accomplish. It will aid every community between the two oceans, that is interested in the betterment of its highways. Under its stimulating effect an era of universal road improvement will be happily inaugurated. The States that have done well, will do better. The States that are laggard, will take heart. Provision is made for every class of road.

The basic principle of this measure is compensation by the Federal Government for the use of the roads traveled by the mail carriers in the star route and Rural Delivery Service.

The constitutional power of the Federal Government to construct, or promote works of internal improvement has been debated from the foundation of the Republic. Heretofore the question of Federal aid to the construction or maintenance of highways, has been considered from the point of view, either of appropriations in aid of the construction of such works as are authorized by the States, and are national in their character, or of appropriations for the direct construction of roads and canals in order to "facilitate, promote, and give security to internal commerce among the several States, and to render more easy and less expensive, the means and provisions for the common defense." The chief obstacle thus far in the path of appropriations in aid of road making, or of road maintenance within the several States, has been the indisposition on the part of the States to agree to any measure of Federal control or authority over their roads. No practicable scheme of joint operations using in part Federal, and in other part State money has been, or is likely to be devised. One sole and responsible agency, whether State or Federal, must do the work, and all the funds appropriated for this work, whether county, state, or national, should be turned over to this agency. This is what this bill proposes to do with respect to Federal payments in compensation for use of the state roads.

It is believed that this measure would have been received with favor by even so strenuous an advocate of the rights of the States as President Monroe who vetoed a bill for repairs on the Cumberland Pike, but announced that he favored appropriations for the maintenance of roads, to be exclusively expended by the States.

The specter of Federal interference with state or local affairs, has been eliminated by the form in which payments will be made. The public is familiar with the system in vogue of compensating the railroads for the transportation of mail matter, and of Government agents and agencies connected with the mail service. The aggregate of these payments in the last fiscal year amounted to about \$51,000,000. Thousands of miles of exclusively state roads are traveled by rural and star route carriers. At present these roads are maintained by the States, though the Federal Government enjoys their free and uninterrupted use for its mail service, whether by rural, or star route carriers. No reason is perceived why the Government should not pay for this use of these highways, the amount of the payment to be determined in any given instance by the character of the road traversed by Federal employees performing Federal service. For the purpose of this determination the bill divides the roads in use, or to be used for this service, into three classes.

Class A is the highest form of improved road in country use. For a road of this character, used in the rural-delivery and star-route service, it is provided that the Government shall pay at the rate of \$25 per mile per year.

Class B is the next form of improved road defined in the bill, a road of high quality but not so good as that defined in class A.

For this road the compensation fixed is at the rate of \$20 per mile per year.

Class C comprehends the ordinary dirt roads of the country, and for these roads the prescribed compensation is at the rate of \$15 per mile per year.

Payments are to be made at the end of each year to the appropriate custodian of the road funds, on the warrant of the Postmaster General. No payment will be made for a road not falling within one of the prescribed classes, and as the determination of the proper character of the road used, will be at all times in the hands of the agents of the Federal Government, the interests of the Government in this respect will be adequately conserved. If the road is not maintained to the prescribed standard, the road authorities will not be entitled to receive compensation. If it is maintained to the standard for a portion of the year, then the compensation will be paid pro rata. The most zealous and tenacious advocate of the rights of the States will be unable to find in this bill any encroachment upon those rights.

The States will maintain and control their highways, and the Federal Government will pay for using them, provided that they are adequately maintained in the prescribed condition. If the maintenance of state roads is a function of the States, that function will not be trespassed upon, or in anywise impaired by this bill. The States will continue to exercise the sole and exclusive control of state highways, and will be under no compulsion to receive the payments contemplated for their use. It is hardly necessary to enlarge upon the benefits to the whole public that will follow upon the general improvement of the highways in the several States. In the matter of good roads, this country lags behind the older countries of the civilized world. In part this is due to the fact that this country is the only one of the great powers, that makes no national contribution either to the construction, or to the maintenance of public roads. For this our dual system of government is largely responsible, since this duality has made it difficult to afford this aid in such a manner as to reconcile the conflicting rights and interests of the States, and of the Nation.

It is believed that the measure proposed is not only no infraction of the Constitution but is in harmony with its general purpose. The number of miles of State roads now traveled by the rural and star-route carriers is approximately 1,179,000. The mileage in class A is 35,000 miles, in class B, 83,000 miles, and in class C, 1,061,000 miles. According to the prescribed scheme of payments the amount per year that this bill will carry on the above basis, should payments be made for the entire mileage, will be \$18,450,000. But it must be borne in mind that only a small proportion of this aggregate mileage is in condition to receive immediate compensation.

The figures given show that the present mileage of hard roads in the United States is comparatively small, but each year shows a healthy increase in this direction.

The truth of the declaration of Charles Sumner, made over 50 years ago, that "The two greatest forces for the advancement of civilization, are the schoolmaster, and good roads," is emphasized by the experience of the intervening years, and points to the wisdom of a union of educational forces for aggressive action for permanent roads.

The improved roads, totaling 118,000 miles, may be considered as practically conforming to the requirements of the bill, and entitled to receive compensation, but the aggregate payments on this account will be only \$2,535,000 per year. A very large proportion of the mileage of dirt roads will require much work at the hands of the local authorities before any claim for compensation can be presented. Hence it is believed that for the first year the payments under this bill will be comparatively small, the exact amount required being impossible of estimate. In proportion as the mileage of the rural and star routes increases, and dirt roads are improved so as to fall within class A, class B, or class C, the payments under this amendment will increase, but this increase will be a legitimate and natural evolution. The inevitable effect of this measure will be not only an immediate improvement of the roads of all the States, but a stimulus to road construction in every community.

The tendency of road building hereafter will be in the direction of a steadily progressive change in the character of the state roads, the dirt roads being transformed into hard roads as rapidly as possible, so as to entitle the local communities to receive the larger tolls contemplated for roads of the latter description. The universality of benefit of this measure is one of its striking features of merit. It will stimulate road construction and road improvement in every State, and practically in every community. Wherever a rural or a star route runs, however remote that route may be from the great centers of trade and commerce, the beneficent influence of this bill upon

road improvement will be proportionately felt. So far from stifling or impeding the spirit of local improvement and local development, this measure of Federal compensation for roads actually used, will energize that spirit, since the payments provided will swell the local contributions into a generous working total. On the whole, it is submitted that the bill is meritorious in its purpose, and constitutional in its character.

The pending proposition is a comprehensive scheme having reference at once to present conditions and future development. The ultimate road, is a highly improved hard road, macadam or its equivalent. The present roads are largely dirt, or soil roads. Some gentlemen seem to favor appropriations for magnificent boulevards, few in number, but things of beauty, and joys forever to the automobilist. The advocates of such roads deride the plan of aiding the States to maintain and improve the ordinary roads of the country. Appropriations to this end are denounced as a waste of public money, because it is an annually recurring charge. Apparently the Members who oppose appropriations for the maintenance of dirt roads, are unaware that improved roads carry a high conservation charge to maintain their efficiency. A continual reparation is in progress upon the streets of Washington, calling for a heavy annual appropriation. Why is it considered to be good administration to keep improved highways in order through an annual expenditure, and a waste of public money to maintain in proper condition the dirt roads over which 90 per cent of our people travel? The conservation, or maintenance of roads, whether of dirt, or of any other material, must be the keynote of any scheme of intelligent improvement. Adequately maintained the dirt road is the finest road in the world for nine months in the year. It is also the easiest road to maintain during that period. Why should a well considered effort to improve the roads of that class, as a part of an entire scheme which includes the highest forms of improved roads, be derisively designated as "dirt roads statesmanship" and opposed on the ground that the improvement will not be permanent, and the necessity for appropriations will annually recur? I for one, welcome the appellation. It is to our credit that although Congress passed a resolution in 1818 that it had the power under the Constitution to appropriate money for the construction of post roads, and still later Daniel Webster declared that he had reached the conclusion that the Government had the power to accomplish sundry objects, or aid in their accomplishment, commonly called works of internal improvement, it was reserved for the year 1912 to see these declarations take practical form, and dirt roads come into their own as a proper subject of government aid, so that they may be maintained in that form which will afford the most serviceable use.

This bill marks a new departure in our national policy, but one easily defended, and likely to grow in popular favor. It will be known by its fruits, and justified by the universal diffusion of its benefits. I rejoice in the fact that this great measure of popular relief, so rich in its promise of domestic development, will be enacted by a Democratic House. This is the day, I long have sought. [Applause.]

Mr. CANNON. The gentleman is for the bill that is made in order now?

Mr. SAUNDERS. Absolutely, and unequivocally. I can not make my declaration of faith any stronger.

Mr. CANNON. I was in doubt as to the tenor of the gentleman's remarks. I was not present when he began.

Mr. SAUNDERS. Have my remarks been of an uncertain character?

Mr. CANNON. I was not present, I will say to the gentleman during the course of his remarks. I have just come in.

Mr. SAUNDERS. Mr. Chairman, there is no measure that we have enacted, or are likely to enact, that holds out so much of hope, so much of encouragement, so fair a promise of prosperity, as the pending bill, which I doubt not will be passed by an overwhelming majority.

Mr. MOON of Tennessee. I yield 30 minutes to the gentleman from Mississippi [Mr. Sisson].

Mr. SISSON. Mr. Chairman, I quite agree, among other things, with the last statement made by the gentleman from Kentucky [Mr. LANGLEY], that the blessings of government should be equally distributed among the people. The burdens of government must be borne equally under the system of taxation by the people, each individual paying taxes on what he consumes and not on what he owns.

When the rural mail service was first adopted it was adopted under a bill introduced by Mr. Watson, of Georgia. William L. Wilson, of West Virginia, was the Postmaster General, and he established two rural routes in West Virginia, and shortly after that two in Pennsylvania. From that beginning the rural

route system has developed into its present magnificent proportions.

I am referring to this in order that I may call the attention of the House to the condition of the rural mail service throughout the United States in connection with these propositions which are now being considered in this bill.

In round numbers, within the last two years about 2,000 rural routes have been approved by the inspectors of the Post Office Department. Over 25 routes have been approved in my own district, besides others that ought to have been approved that were not approved. These rural mail routes are demanded by the people who to-day have practically no mail service.

When the economic program first struck the Post Office Department they abolished in my district a number of star routes, with the idea that they would be replaced by the rural system. These rural routes have not been established. I have gone to the Post Office Department repeatedly and made an effort to get that mail service established which the people of my district were entitled to. I have been put off with promises from day to day. Some of my Republican friends have been good enough to go down and interview the Post Office Department for me. I do not know who is to blame. I am treated with absolute courtesy by the Fourth Assistant Postmaster General, who now has charge of this service, but I want the people of my district to understand that not only have Democratic districts been unable to get this service, but numbers of Republican Congressmen have told me that the development of the rural mail service had been stopped entirely in their own districts. It is only fair that the people should know the facts. The Postmaster General had a magnificent opportunity to make for himself a great record in the establishment of good mail service throughout the country. He had behind him the unanimous sentiment of an overwhelming Congress. That Congress, irrespective of party, had overwhelmingly voted to him, in addition to the \$550,000 which he endeavored to turn back into the Treasury, \$1,250,000 to extend the rural mail service throughout the country.

Instead of heeding this demand of Congress and of the people he has neglected the farmer and those living in the country, and under the guise of economy has refused them the only service which the Government performs for the country people.

What an opportunity the present Postmaster General had and how he has neglected it! He could have endeared himself to the great farming class by building up our Rural Mail Service, but he evidently does not care for their good will nor for their approval.

The report which comes from Republican and Democratic Congressmen is that the Rural Mail Service has been paralyzed throughout the United States. If the Postmaster General had measured up to the full standard of a Postmaster General he could have made for this administration a magnificent record by giving to every farmer in this great country of ours his mail at least once a day. I take absolutely no stock in that theory of government that the Post Office Department should be self-sustaining. On the contrary, it is the only department of Government where that principle is invoked. We spend \$136,000,000 a year on the Navy without getting one single penny in return. We spend \$100,000,000 on the Army, and we do not get a penny in return. These men who live in the rural districts are the men who with their brawn and sinew must sustain this Government, must sustain this great Republic in all its endeavors, because they are the beginning, the source, of practically all the wealth there is in the country.

The Commissioner of Education says that 65 per cent of the children of the United States live in the country and not in the towns, cities, and villages. In the great State of Massachusetts, which is overburdened with great cities, there are 106 adults over school age to every 55 children, while in South Carolina the reverse is true. In Mississippi, which is an agricultural State, the reverse is true. Therefore I say to this House that the hope of this Republic depends entirely upon the conditions of country life and how we develop and educate the country boy and the country girl. [Applause.]

Mr. LANGLEY. I have been a personal friend of the present Postmaster General for nearly 20 years, but the sentiment that I feel for him on that account does not prompt me in questioning the gentleman's statements about what he has found. I should like to know where the gentleman gets the information, or upon what he bases the statement that as a result of the present administration of that department the Rural Mail Service all over the country has been paralyzed. My information is that he has done more to benefit that service than any of his predecessors, and I think the records of the department will so show.

Mr. Sisson. If the gentleman from Kentucky will take the trouble to go down and investigate the records of that department, and if he will go and ask the Fourth Assistant Postmaster General, who, I presume, will talk to him as freely as he does to me, he will find that the Rural Mail Service in many sections of this country is in a deplorable condition and has been in that condition for a number of years.

My time is limited. I had intended to tell the House the condition that prevails in my district with reference to numbers of communities. Without going into details, I will state that in one county in my district it takes five days to get a letter from one portion of the county to the county seat, and it takes four days to get an answer back. A man living within 6 miles of the courthouse, in Calhoun County, can not write to the courthouse and get an answer in less than 8 or 10 days to save his life.

Mr. LANGLEY. I do not contend that the present system is perfect, and certainly the gentleman will not contend that it can be made perfect in a good many years to come, but what I do say is that the records of the Post Office Department will show that under the administration of the present Postmaster General more has been done for that service than under any of his predecessors.

Mr. Sisson. I can not yield any further.

I want to say in reply to the gentleman from Kentucky, and finally, that the gentleman must be aware of the fact that a little over two years ago an Executive order came down for economy, and that the Postmaster General sent down his demand for economy, and the excuse for not establishing the rural routes was because they were consolidating the rural routes and the star-route service under the Fourth Assistant. The gentleman does not contend that for 12 months any rural routes were established in that department. Until that order went forth I had no trouble in getting rural service established where the people had a right to it. Prior to that time that department always responded when the investigation of the inspector showed that the people were entitled to that service. Since that time I have not been able to get a single rural route, and I have made pig-paths from my office to the Post Office Department. I have received nothing except courteous treatment.

Now, Mr. Chairman, I want hurriedly to advert to some matters in relation to the bill now under consideration.

Three propositions—rural mail, good roads, and parcel post—mean a great deal to the country. If the Rural Mail Service is developed as it should be developed, so as to give every farmer within the United States his mail at least once a day, it will simply give him what he is entitled to. He contributes his pro rata share to the expenses of the rest of the Government. He contributes to maintain the Army and the Navy. He contributes his labor and his toil to produce that which feeds the great cities. He is compelled to pay tribute to all manufacturers under our present system, notwithstanding in many instances we have to-day overdeveloped our manufacturing enterprises. The Government has lent its aid to building up manufacturing industries of the country until the cry is now going up, "What shall we do to prevent the rural districts being depleted?"

First give them a good mail service, so that every family at least once a day may come in contact with the great and mighty world outside their limited sphere. In the great cities you have libraries, night schools, and all the advantages and aids to education, but in the country they are, as it were, secluded, and unless they can get their newspapers, unless they can get in touch and contact with the world, the boys of the country are vastly at a disadvantage as compared with the boys in the cities. If you want to develop your country life give the farmer a good mail service. If you give a community a good mail service it may not for the time being pay its expenses, but when you shall have developed a perfect mail service it will increase land values, it will increase the desire of the people to live close to the community that has the mail service, and that portion of the community will develop more rapidly than that without mail service. This is the age of rapid transportation and quick information, and the man in the country needs it and wants it just as bad as any living in the cities. This Government certainly ought to give the farmer who does so much for the Government his mail at least once a day. Then, if you will give to the people on the mail routes a good public road, if you will give them a road so that they may go to school, to church, and to market, and thus cheapen transportation in the country, you will be performing a great service. The good-roads department of the Government says that the heaviest tax we pay to-day is the tax on bad country roads. It costs us more and increases the cost of living more than anything else. But if you will develop the good country

roads and let the farmer have good roads upon which to go to market—

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, will the gentleman yield?

The CHAIRMAN (Mr. Flood of Virginia). Does the gentleman from Mississippi yield to the gentleman from New York?

Mr. Sisson. Yes.

Mr. MICHAEL E. DRISCOLL. Why do you not develop them?

Mr. Sisson. We are doing our very best. The gentleman, of course, is opposed to any Federal aid to good roads and unwilling to lend any sort of encouragement to the movement, notwithstanding his party's platform declares for this encouragement. He would put this Government back to the stone age. The Federal Government can not fail to perform its duty by the good-roads movement. I want to say that, so far as I am individually concerned, I believe it would be cheaper if these States would develop their roads in and of themselves and by a direct system of taxation. But before the development of the railroads in this country the fathers of this Republic had turned their attention to the building of great roads in the United States, and they took their hands from this method of development solely because the railroad was being developed and was a more rapid means of transportation; but the time has come now when the Federal Government must do its duty by good roads.

Both of the great political parties declared themselves in favor of the development of good roads. Whatever doubts I may have had, so far as I am concerned, in reference to the Government embarking in this new field of activity, is settled by the Democratic platform. The last Democratic platform is unequivocal, plain, and free from doubt and is in the following language:

We favor Federal aid to State and local authorities in the construction and maintenance of post roads.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, will the gentleman yield?

Mr. Sisson. Yes.

Mr. MICHAEL E. DRISCOLL. Did either party declare itself in favor of paying \$25 a mile a year for the use of the road for old Dobbin and a one-horse cart?

Mr. Sisson. The gentleman knows that no platform ever goes into detail, but it is left for the wisdom of Congress to determine how to give the aid. A one-horse-cart man is entitled to a good road just as much as the automobile man.

Mr. MICHAEL E. DRISCOLL. Did the platform provide for the paying of tolls for the use of those roads?

Mr. Sisson. It does not matter how the aid comes. It is immaterial to me and it is immaterial to the people who are building the roads. The thing is to get the aid [applause], and if the Government of the United States should fail to give the aid, then we violate the platform.

In reference to the parcel-post system, I want to state that there are a great many bills now before Congress. I am in favor of a general parcel post, but I want a parcel-post system that will require the man using the parcel post to pay the expense of hauling each package and let each package bear its own burden. [Applause.] I am not in favor, nor can I subscribe to the doctrine that it costs no more to run a train from New York to San Francisco than it does from New York to Jersey City. I do not subscribe to the doctrine that the car has to go, and since it has to go you may put a flat rate on and haul the package from Chicago to San Francisco. Such a principle is wrong, because you must fix the rate, unless the Government loses on the business, high enough so that at an intermediate point between two points the charge for hauling the package will be exactly what it ought to be. Then for every mile you get nearer the initial point the man who pays the same flat rate is paying too much, and when you get beyond that point the man at a greater distance is paying too little. I am unwilling to mulct the people on one end of the long haul for the benefit of the people on the other. If it is too little to pay the expense, then you must mulct all the taxpayers to pay the expense of hauling a piece of merchandise for another. Whether or not the United States Government ought ever to have gone into the parcel-post business is not now a question for us to discuss, because we are hauling 4-pound packages and we are hauling 11-pound packages by treaty, and the Government is now in that business.

Since we are in the business, it is up to this Congress to devise some scheme to make the parcel-post system, since we have determined to go into it, the best parcel-post system in the world; to make it the model for all the people of the earth. It is our duty to make such a model system that it will be a

credit to our Government and a benefit to all the people. Let us make it the best parcel-post system that can be conceived. I do not want Congress to rush hastily into the matter. Hasty legislation will mean that you will be years in patching it up. We need a well-conceived and a well-defined plan under which we can operate during the next few years, so as to get a system that will cheapen transportation to the people.

A great many people have demanded the Sulzer bill. This bill is not as good as other bills before Congress. This bill is not what the people really desire. It will not give the relief sought. I will call attention briefly to one or two objections to that bill. I can not take it up a clause at a time, for I have not the time. It has the fatal defect of having in it the flat rate. If under the Sulzer bill, which limits the parcel to 11 pounds, the farmer can find anything that he can ship, except queen bees, dried fruits, and dried plants, then I would like to have some gentleman show it to me, because under the present law with fourth-class matter, which is the limit in the Sulzer bill, the farmer can ship over the rural route nothing except "dried fruits, dried plants, and queen bees, when properly packed." If we had a parcel-post system, the man living in the city and buying from the farmer should have the same right to him in small packages, that the manufacturer or the wholesale merchant or the department store has to reach their customer going the other way. Therefore our farmers have evidently not carefully considered the Sulzer bill. I have talked to hundreds of farmers in my district, and talked to them on the stump, and my position is known on this question. I will not give my people a serpent when they ask for a fish, nor will I give them a stone when they ask for bread. I want to give them a real parcel post.

Anyone who will give the Sulzer bill some study will find that it is not what the farmer wants, and it is not fair to the small merchant and the small town or city. I am unwilling to vote for the Sulzer bill in its present form because there are two bills now pending, which are so much better.

I think the solution of this whole question lies in the idea advanced by the gentleman from Maryland [Mr. Lewis]. The Federal Government can not afford to go into competition with private individuals or with corporations engaged in business. If the Federal Government shall succeed with an 11-pound package, it will find that it will be compelled to take a monopoly to the amount of 11 pounds. Then you will have deprived the express company of the right to haul packages below the 11-pound weight, and you leave them a radius in which to transact business only as between 11 pounds and the 100-pound proposition. We all know that the people will not be satisfied with an 11-pound package.

The business of this country has taught that the division which the railroads make with the express company is that the express company shall have a monopoly up to 100 pounds. Now, if the Federal Government shall embark in this business they should take that monopoly over entirely. We had an experience with the mail service, and the United States Government was rendered ridiculous in its efforts to carry mail in competition with private individuals. Without going into the history of all that legislation, Congress in 1842 passed a statute, which is practically the statute now, making it a violation of law for any individual, partnership, or corporation to carry for hire any matter which was mailable under the law at that time. The result was that everybody carrying mail was compelled to go out of the mail-carrying business, and from that day on the mail system of the United States got to be the model for the world. Now, we need not repeat the mistakes of the past. We ought not to get into the same condition that we got our mail service in, or that portion of it for the carrying of parcels, when we undertook to carry letters, because the private individual would reduce the charge in every line and naturally endeavor to make the postal service ridiculous. But the Government had time enough to get sufficient equipment and to supply the people with their mail. They passed the statute of 1842, which took over the monopoly, or directed as the Postmaster General thought wise at that time, until they finally got a practical monopoly of all the mail business. The gentleman from Kansas [Mr. Murdock] here two or three years ago on the Post Office bill caused me to investigate this matter when he was advocating the Federal Government asserting its monopoly in reference to magazines and all fourth-class matter, and that caused an investigation of the history of that trouble, and just so certain as we pass a parcel-post bill limited to 11 pounds, or anything from that to 100 pounds, you are going to have the express company on one side endeavoring to throw every impediment in the way of its success, whereas if you assert a monopoly and say to the express company that just as the Postmaster General can find equip-

ment and as fast as Congress is willing to furnish it to him that the Government will take over the carrying of all packages to the amount of 100 pounds. It will succeed, and it will not succeed until that time comes. I have been frank with the gentleman from Maryland [Mr. Lewis]. I am opposed to that feature of his bill which would undertake to condemn at one fell swoop all the express companies, because that would involve us in perhaps a great deal of litigation. Not only that, but it is not necessary that we shall assume that burden, because if we assert a monopoly, the express companies, realizing that as soon as the Federal Government is ready to do the business they will be put out of business, will voluntarily enter into negotiations with the Post Office Department and endeavor to get from them the best price they can for just such equipment as the Post Office Department sees that it needs of the present equipment of the express companies. And it is useless for men to say that you are going to limit this proposition to 11 pounds. It will never be limited to 11 pounds—

Mr. LEWIS. Will the gentleman yield?

Mr. Sisson. I yield.

Mr. LEWIS. If the Goeke bill were amended to exclude the condemnation provision, the abolition of the express companies and substituting the Government in their place and giving the Government the power to purchase this equipment if it could agree on a price, otherwise secure the equipment elsewhere, the gentleman would be entirely in favor of my proposition?

Mr. Sisson. I think it is the best proposition that has been presented to this House. I think it is the only proposition that goes down to the crux of the whole matter. Now, as to whether or not all the details have been worked out I am unable to say. It is a great, big question, and the more you study it the more angles it has to it, but that does not warrant us to mince matters and give the people just as little relief as possible. The people are suffering from extortionate express rates, and the Federal Government either will not or can not regulate the express rates, and the people of our cities as well as the people of the country demand this legislation. The Republicans of this House as well as the Democrats are anxiously endeavoring to solve this question, are anxiously endeavoring to reach a correct solution that will give the people the best possible service.

Mr. LEVER. The opposition to the Goeke bill at present is because of its feature of condemnation and purchase of the express companies?

Mr. Sisson. Yes.

Mr. LEVER. The gentleman is willing to take them over and let the Government assert its monopoly in the small packages?

Mr. Sisson. Assert a monopoly up to 100 pounds, if we desire to do so.

Mr. LEVER. I understand.

Mr. Sisson. And then, after the Government has gotten the equipment on, we will say, the Pennsylvania Railroad, or the Southern Railway, or the Illinois Central Railroad, let the Postmaster General give notice to the express companies that the Government on a certain date will assert its monopoly of the business on that line. By this method you take over the carrying of parcels of 100 pounds or less gradually without interfering in any way with the business of the country.

Mr. JACKSON. Will the gentleman from Mississippi [Mr. Sisson] yield?

The CHAIRMAN. Will the gentleman from Mississippi [Mr. Sisson] yield to the gentleman from Kansas [Mr. Jackson]?

Mr. Sisson. Certainly.

Mr. JACKSON. I want to say, first, that I agree most heartily with all the gentleman has said except this one slight thing. Has the gentleman fairly considered whether we might be able to maintain a Government express along the lines of the Lewis bill without the Government monopoly, since we have the advantage of the rural route, if we should connect them up with the system, and the additional advantage of the Interstate Commerce Commission to enforce regulations and adjust rates?

Mr. Sisson. That, of course, would be a mere experiment. I could not answer the gentleman's question. But here is my fundamental objection to that, that I do not want the Federal Government or the State governments to go into competition with private individuals in the transaction of any business.

The Government ought to assert a monopoly of a business or it ought to stay out of the business. The private individual can not compete with the Federal Government, which has the power to use drastic means and measures and to pass penal laws when it sees fit and destroy a man's business.

Mr. JACKSON. Does not the gentleman think that more or less a sentimental reason? We are in competition in the

banking business with private enterprises, and with the express companies now in the transmission by registered packages of valuable packages from one part of the country to the other. The Government has not seriously suffered nor has any individual seriously suffered.

Mr. Sisson. But the Government has not gone seriously into the business of hauling packages. It has not gone, so far as the Government itself is concerned, into the banking business.

Mr. JACKSON. I refer to the savings bank law.

Mr. Sisson. I do not think that the savings-bank proposition, which passed this House since I have been a Member, is a savings bank at all. I do not think it can measure up to any functions of a savings bank. It simply permits under that law citizens to deposit money with the post office and draw a certain rate of interest on that.

Mr. JACKSON. It has done a good deal of good and not any particular harm.

Mr. Sisson. I think it has done very little good and I hope but little harm.

Mr. JACKSON. I am simply reciting an example as to what we have in some two or three particulars now and perhaps others, in which the Government and the States are in competition with private individuals, and no particular harm results from it. This is mentioned on the question whether we can do—can maintain a postal express without Government monopoly.

Mr. Sisson. I fear this result would happen; that either the express company would be driven out of the business or the Government would be. I understand that is one of the business institutions that is very much inveighed against. I am unwilling that the Government should exercise the power, because a man has done wrong in business, to take his property and confiscate it, either by asserting a monopoly or confiscating his property.

Mr. JACKSON. It is a little off the subject, perhaps, but does not the gentleman believe that the whole express scheme, and especially these contracts here that have been discussed during the debate, are in direct violation of the Sherman law?

Mr. Sisson. I am not so familiar with these contracts as to know whether they are in violation of that statute or not. But I do know that contracts exist between the express companies and the railroad companies, who have a very intimate relation with each other in stock as well as in management.

Mr. JACKSON. The provision of the contract which limits the express company to 150 per cent of the freight rate would unquestionably be in restraint of trade?

Mr. Sisson. Unquestionably.

Mr. Chairman, in conclusion I desire to say that if this Government shall perform its duty to the people who bear the burdens of the Government it must stop its riotous extravagance in useless employees and high salaries, in Army and Navy expenses, and in exorbitant pension steals and frauds, and spend the money where the taxpayer will get some real benefit. Spend it upon perfecting our rural mail system and upon our roads. Millions of money is squandered each year upon schemes which do not benefit the people in the least. Our people are tired of it, and are now demanding in earnest that they be given some little consideration. Our officeholders here in Washington are building luxurious quarters in which to lounge and find their ease, all out of the people's money, and claim that it is to beautify "our Capital City." How many crimes are committed in the name of "beautiful Capital City."

Let this Democratic Congress stand firm by the principles of our party, and cut out every species of graft and extravagance. Let us spend the people's money in their benefit and not for the benefit of the few. We can with courage go to the country for the great trinity—good rural mail service, good roads, and cheap transportation.

Mr. WILLIS. Will the gentleman yield to me?

The CHAIRMAN. The time of the gentleman from Mississippi [Mr. Sisson] has expired.

Mr. Sisson. I am sorry I can not yield to the gentleman. [Applause.]

Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from Tennessee, my colleague [Mr. McKellar], 25 minutes.

Mr. McKellar. Mr. Chairman, the subject of national aid to roads has been one that has occupied the attention of Congress from time to time since the organization of our Government. As we all know, the Federal Constitution itself provides that Congress shall have the power "to establish post offices and post roads." Under this authority the Post Office Department of the Government was established, and shortly after-

wards, and as early as 1806, Congress gave aid to road building. In 1818 it passed the following resolution:

Resolved, That Congress has the power under the Constitution to appropriate money for the construction of post roads and other roads, and of canals, and for the improvement of waterways.

It is now frequently claimed by those who are opposed to Federal aid to road building that it is not a subject of Federal jurisdiction. However, in view of this direct authority in the Constitution, and its direct exercise by the early founders of the Republic; it certainly can not now be argued that the Federal Government has not the power to build or aid in the building of roads in this country. Mr. Jefferson believed that the Federal Government had the power to build roads and so declared himself. Shortly afterwards we find Mr. Webster, Mr. Clay, and Mr. Calhoun, the great statesmen of our early history, were all of the same opinion. Mr. Calhoun, who was probably the staunchest advocate of State rights that this country has ever known, was not only a firm believer in the power of Federal Government to construct good roads, but in 1817 he introduced a bill in this House to provide a permanent fund for the construction of good roads. Two years later, when he was Secretary of War, in a report he said:

No object of the kind is more important and there is none to which State and individual capacity is more inadequate.

Now, Mr. Chairman, I can not refrain from calling the attention of the committee to a part of the argument of the gentleman from Wyoming [Mr. Mondell]. In his speech, as I read it, he says:

This measure is confidently expected to appeal strongly to the rural population and, it is hoped, will sustain the waning political fortunes of those from the country districts who favor it.

Perhaps if I were situated as some gentlemen are my judgment, like theirs, would be somewhat affected by the political exigencies of my situation; fortunately for me I can look at the matter uninfluenced by the importunings of the folks at home, who hope to benefit by this extraordinary and unique raid upon the Federal Treasury. * * * Down in the moonshining districts it would be highly popular to tax Uncle Sam for the use of the highways by the deputy marshals. [Laughter.] Out our way, if we are to inaugurate this policy, it would be a popular measure to tax the Government for the use of our highways by special agents of the Land Office. [Laughter.] In fact, I know of no other way in which we could secure our share of Federal loot. [Laughter.]

The gentleman who is, I believe, primarily responsible for this plan calls himself, I understand, a Jeffersonian Democrat. I wonder what the patron saint of Democracy would say to such a measure of centralization? Shadow of Thomas Jefferson, with his clear perception of the dividing line between the powers and responsibilities and jurisdiction, respectively, of the Federal Government and the sovereign States!

Mr. Chairman, I do not come from a country district, strictly speaking. The city which is in my district has as many or more people in it than the whole State represented by the gentleman from Wyoming, and so I feel that I am in an unbiased condition of mind in so far as country roads are concerned, for my advocacy of this bill is not because I want to get back to Congress, as the gentleman from Wyoming suggests, or because I come from a country district, as designated by him.

But I want to call the gentleman's attention to this fact—and that is that the main feature of his statement I take exception to—that he accuses those of us who are in favor of this bill of endeavoring to "loot" the Treasury. I want to say to him and to this House—and I regret that I do not see him on the floor at this moment—that the State which he represents has not a mile of improved roads in it except such as the United States Government has put there. He has over 10,000 miles of public roads in his State, not one mile of which is improved, except that in the Yellowstone National Park, which has been improved by the National Government. And yet he is opposed to Government roads. He is opposed to national aid to roads in that condition of his State's affairs, when the only improved road he has in his State has been put there by Federal "loot," as he calls it.

Mr. JOHNSON of South Carolina. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from South Carolina?

Mr. McKellar. Yes; with pleasure.

Mr. JOHNSON of South Carolina. During the consideration of the Indian appropriation bill the gentleman from Wyoming [Mr. Mondell] offered a number of amendments for the building of roads in Wyoming out of Indian funds, on Indian reservations.

Mr. McKellar. I did not know that, but I judge that the gentleman from Wyoming, who is talking about "looting" now—I do not mean that in any improper sense—forgot about that for the time being.

Mr. STEPHENS of Texas. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Texas?

Mr. McKELLAR. With pleasure.

Mr. STEPHENS of Texas. In reference to that matter I will state that the gentleman from Wyoming offered his amendment to build roads across Indian reservations, on Indian lands. That proposition was very promptly voted down, as I hope the House will vote down this or any other proposition to build roads at the expense of the Federal Government. [Applause.]

Mr. McKELLAR. Now, the gentleman stated that all of us who support this bill are not conforming to the principles of Mr. Jefferson. I want to show what Mr. Jefferson said about it. Mr. Jefferson during the eight years that he was President of the United States signed many bills for the improvement of highways. Among other things which he said, I quote the following:

Their—

The people's—

patriotism would certainly prefer its—

The then present revenues of the Government—

continuance and application to the great purposes of public education, roads, rivers, canals, and such other objects of public improvement as it may be thought proper to add to the constitutional enumerations of Federal powers. By these operations new channels of communication will be opened between the States, the lines of separation will disappear, their interests will be identified, and their union cemented by new and indissoluble ties. (Jefferson, Messages, Dec. 2, 1806, Vol. I, p. 409.)

And again, Mr. Jefferson said:

Or, shall it—

The Government revenue—

not rather be appropriated to the improvements of roads, canals, rivers, education, and other great foundations of prosperity and union under powers which Congress may already possess, or such amendment of the Constitution as may be approved by the States. (Jefferson, Messages, Nov. 8, 1808, Vol. I, p. 456.)

I agree with my friend from Wyoming that Mr. Jefferson had a "clear perception of the dividing line between the powers and responsibilities and jurisdiction, respectively, of the Federal Government and the sovereign States"—the only difference between us being that Mr. Jefferson favored my side of the argument and not that of my distinguished friend.

Speaking of "looting" the Treasury, however—and in this I again do not agree with my friend, that a good-roads bill is a proposed "looting" of the Treasury, for I think that it is the highest form that Federal aid to the welfare of this Nation can take—but looking at it as "loot," as my friend calls it, I wonder whether he thinks that this is a preferable form of "loot" to the erection of a \$75,000 building at Sundance, in his own State, in a community numbering 281 souls all told?

I want to say further to the committee that, while it is true that Mr. Jefferson at times doubted whether Congress had the power under the Constitution to inaugurate a system of internal improvements, still he always signed good-roads bills, and while Mr. Monroe opposed a particular act creating a road within the boundaries of a particular State and vetoed it, yet it is also true that he signed many such good-roads bills, notably the Cumberland Pike act.

Mr. Washington, time and again, referred in his messages to the power and the duty to build roads, recommending them in the following: Messages, January 8, 1790, Volume I, page 66; December 8, 1790, Volume I, page 83; October 25, 1791, Volume I, page 107.

Mr. Jefferson took a similar stand, although a less emphatic one.

Mr. Monroe and Mr. Adams were in favor of the same manner of dealing with this question, and Mr. Jackson was the only one who refused to sign such bills, believing that under the Constitution he had not the right to do so, although he was a most ardent advocate of all kinds of internal improvements. I call to the attention of the committee the following from messages of Mr. Madison and Mr. Adams:

Among the means of advancing the public interest the occasion is a proper one for recalling the attention of Congress to the great importance of establishing throughout our country the roads and canals which can best be executed under the national authority. No objects within the circle of political economy so richly repay the expense bestowed on them; there are none, the utility of which is more universally ascertained and acknowledged; none that do more honor to the governments whose wise and enlarged patriotism duly appreciates them. Nor is there any country which presents a field where nature invites more the art of man to complete her own work for his accommodation and benefit. These considerations are strengthened, moreover, by the political effect of these facilities for intercommunication in bringing and binding more closely together the various parts of an extended confederation. Whilst the States individually, with a laudable enterprise and emulation, avail themselves of their local advantages by new roads, by navigable canals, and by improving the streams susceptible of navigation, the General Government is the more urged to similar undertakings, requiring a national jurisdiction and national means by the prospect of thus systematically completing so estimable a work. (Madison, Messages, Dec. 15, 1815, Vol. I, p. 56.)

Mr. Monroe, on April 30, 1824, approved the act to appropriate \$30,000 for the purpose of causing to be made the necessary surveys, plans, and estimates of the routes of such roads and canals as the

President of the United States might deem of national importance in the commercial or military point of view or necessary for the transportation of the public mail. (Adams, Messages, 1825, Vol. II, p. 360.)

And the United States Supreme Court has held that the building of roads is within the terms of the Constitution. (See authority hereafter cited.) So that my friend is wrong in indicating that the position of the Democratic Party has in any way become different on this matter of the improvement of the roads of the country or that such Federal improvement is not a Democratic doctrine.

I wish now to call the attention of the committee to the argument of Mr. Moore of Pennsylvania. I took an automobile trip through the State of my friend [Mr. Moore] this last summer, and after taking that trip I am astonished beyond measure to find him taking such an attitude. If there ever was a State which needs good roads it is Pennsylvania, which in 1899 had more than 87,000 miles of roads, and only about 3 per cent of those roads were improved roads. I can not understand how the representative of a State that has so few improved roads can be opposed to a bill like this, that must of necessity increase the number of improved roads in that State.

And yet we find the representative of that great State here raising his voice against Federal aid to roads in his State.

The last report that we have of the condition of public roads shows that in 1909 there were about 2,190,000 miles of public roads in the United States, and of this large mileage only about 190,000 miles have been improved, leaving more than 2,000,000 miles unimproved; and there is this small percentage of improved roads in this country, notwithstanding the fact that every State and county government in the Nation is now appropriating money to the cause of good roads. Mr. Calhoun was exactly right when he said that the State and individual capacity was inadequate to the task of furnishing good roads for this Nation; and when he said that "it must be perfected by the General Government or not perfected at all" his prophecy as to the situation was absolutely accurate. Indeed, nothing can be more certain than is the fact that the roads of this country can only be made commensurate with the needs of the country except by the aid of the National Government.

I want to say to my State rights friends that I believe in the doctrine of State rights myself. Mr. Calhoun's idea was this, that individual communities like counties or even States or improvement districts were not able and never would be able to give a perfected system of roads in this country; and the correctness of Mr. Calhoun's idea is shown by the fact that after over 125 years of existence, when there are over 2,190,000 miles of roads in this country, only 190,000 miles have been improved.

Mr. MICHAEL E. DRISCOLL. Has the gentleman any opinion or any principle or any view with reference to State rights that he would not surrender in a minute when an appropriation for his district or State is in sight?

Mr. McKELLAR. I will say to the gentleman that down in Tennessee where I come from we do not know so much about Government appropriations as do some other parts of our Union. [Applause on the Democratic side.] Virtually the only connection between the district that I represent and the National Government to-day is the distribution of a few garden seeds and an exalted patriotism. [Applause and laughter.]

Mr. BOWMAN. In behalf of the State of Pennsylvania I wish to say that in 1909 there were 3.84 per cent of her roads that were improved.

Mr. McKELLAR. Yes.

Mr. BOWMAN. And nearly 3,000 miles of that was either brick or macadam, and \$50,000,000 has just been appropriated for new roads. There are many Members from the State of Pennsylvania who are wholly in favor of this bill.

Mr. McKELLAR. I am delighted to hear it.

Mr. BOWMAN. One word more.

Mr. McKELLAR. Yes.

Mr. BOWMAN. It was stated here that it would cost the Government the first year about \$16,000,000. Does not the gentleman believe that would be a wise expenditure in order to secure over 800,000 miles of road of the kind described in this bill? The last report of the Department of Agriculture upon roads shows less than 200,000 miles in the United States.

Mr. McKELLAR. I am for any kind of proposition that means better road building; and if the gentleman will listen to what I have to say about it I think he will agree with me that it will mean an immense saving to the American people in the handling of their goods.

Mr. BOWMAN. I will agree, both before and after, with anything the gentleman may say in that direction.

Mr. McKELLAR. I am not going into the history of road building. We know that in the early period of our national existence there was a great deal of discussion in Congress in

reference to good roads. Mr. Clay, Mr. Calhoun, and Mr. Webster, the three great statesmen of the early period of our history, were all in favor of national aid to roads. That condition continued down until about the year 1835, when railroads came into vogue, and thereupon interest in public roads began to subside, and Congress was besieged by the representatives of the great railroads of the country to come forward and help them build railroads, and it did so. These gentlemen who are talking about it being an invasion of State rights for the Government to help upbuild the country by building public post roads, what have they been doing in reference to aiding the railroad building in this country? We know that they have done it, and I do not mean to say that it is not right, because we know that railroads help upbuild the country too; but for all that they do not upbuild the country to a much greater extent than the building of dirt roads.

Mr. LEVER. If the gentleman will permit, the contention has been made that this bill is an invasion of State rights. I understand the gentleman is a very strong lawyer, and I should like to hear him discuss that proposition for a moment.

Mr. McKELLAR. All I can say about the invasion of State rights is that all of our earlier Presidents except Mr. Jackson gave their sanction, directly or indirectly, to national aid to building roads in this country. Mr. Washington was in favor of it. Nothing is recorded of the utterances of the first Mr. Adams on the subject. Mr. Jefferson, Mr. Madison, Mr. Monroe, and Mr. John Quincy Adams all favored national aid to roads. John Quincy Adams advocating it in a very strong paper. Gen. Jackson was personally heartily in favor of it, but vetoed it because he thought it was unconstitutional, and recommended a constitutional amendment. So all the Presidents in the early part of our history were in favor of it. And I want to say to the gentleman that the Supreme Court of the United States has upheld national aid to roads in this country under the provisions of the Constitution that I have read. How anything could be plainer than that I do not know. When the early fathers of the Republic were in favor of it, believed in it, provided for it, and when the Supreme Court of our country has indorsed it, that ought to settle the legal question.

Mr. LEVER. The gentleman understands that I am a member of the subcommittee which reported this bill?

Mr. McKELLAR. Yes.

Mr. LEVER. But being a layman and not a lawyer, I desired to get the legal judgment of the gentleman as to the invasion of State rights. I think the gentleman is absolutely right in his proposition.

Mr. McKELLAR. I do not think there is any invasion of State rights at all, I will say to the gentleman.

In the celebrated *Debs* case, Mr. Justice Brewer laid down the rule as to the authority and power of the Federal Government as follows:

First. What are the relations of the General Government to interstate commerce and the transportation of the mails? They are those of direct supervision, control, and management. While under the dual system which prevails with us the powers of government are distributed between the State and the Nation, and while the latter is properly styled a government of enumerated powers, yet within the limits of such enumeration it has all the attributes of sovereignty, and in the exercise of those enumerated powers acts directly upon the citizen, and not through the intermediate agency of the State.

The Government of the Union, then, is emphatically and truly a government of the people. In form and in substance it emanates from them. Its powers are granted by them and are to be exercised directly on them and for their benefit.

No trace is to be found in the Constitution of an intention to create a dependence of the Government of the Union on those of the States for the exception of the great powers assigned to it. Its means are adequate to its ends, and on those means alone was it expected to rely for the accomplishment of its ends. To impose on it the necessity of resorting to means which it can not control, which another government may furnish or withhold, would render its course precarious, the result of its measures uncertain, and create a dependence on other governments, which might disappoint its most important designs and is incompatible with the language of the Constitution. (Chief Justice Marshall, in *McCulloch v. Maryland*, 4 Wheat., 316, 405, 424.)

Both the State and the United States existed before the Constitution. The people, through that instrument, established a more perfect union by substituting a national government, acting with ample power directly upon the citizens, instead of the Confederate Government, which acted with powers greatly restricted only upon the States. (Chief Justice Chase, in *Lane County v. Oregon*, 7 Wall., 71, 76.)

Among the powers expressly given to the National Government are the control of interstate commerce and the creation and management of a post-office system for the Nation. Article I, section 8, of the Constitution provides that "the Congress shall have power . . . Third, to regulate commerce with foreign nations and among the several States and with the Indian tribes . . . Seventh, to establish post offices and post roads."

Under the power vested in Congress to establish post offices and post roads Congress has by a mass of legislation established the great post-office system of the country, with all its detail of organization, its machinery for the transaction of business, defining what shall be carried

and what not, and the prices of carriage, and also prescribing penalties for all offenses against it.

Obviously these powers given to the National Government over interstate commerce and in respect to the transportation of the mails were not dormant and unused. Congress had taken hold of these two matters and by various and specific acts had assumed and exercised the powers given to it, and was in the full discharge of its duty to regulate interstate commerce and carry the mails. The validity of such exercise and the exclusiveness of its control had been again and again presented to this court for consideration. (From United States Reports, 158, October term, 1894.)

Now, after the Civil War no interest was taken in road building in this country at all for 30 or 40 years, so far as the National Government was concerned. We find no records about it, and we do know that there was no interest taken in it. But of late years a great deal of interest has been taken in the subject, and I want to quote from the Democratic and Republican platforms for the benefit of gentlemen of this House belonging to both those great parties.

The Republican platform of 1908 contained the following:

We recognize the social and economic advantages of good country roads, maintained more and more largely at the public expense and less and less at the expense of the abutting property owner. In this work we commend the growing practice of State aid and we approve the efforts of the National Agricultural Department by experiments and otherwise to make clear to the public the best methods of road construction.

In addition, we find the following in the national Democratic platform of 1908:

We favor Federal aid to State and local authorities in the construction and maintenance of good roads.

Mr. Chairman, the bill that has been reported here I submit is a wise bill and should pass. I shall not undertake to go over it section by section.

Mr. CULLOP. Mr. Chairman, I would like to ask the gentleman a question, if he will yield.

The CHAIRMAN (Mr. HAY). Does the gentleman yield?

Mr. McKELLAR. With pleasure.

Mr. CULLOP. I understood the gentleman to say that since the Civil War the National Government has taken no interest—

Mr. McKELLAR. Practically none.

Mr. CULLOP (continuing). In the building of country roads. About the close of the Civil War it diverted its attention from the building of domestic or dirt roads and gave its assistance to the building of railroads.

Mr. McKELLAR. That started quite a while before the war and continued after the war—in building the great transcontinental lines across the country.

Mr. CULLOP. And it gave away more than 200,000,000 of acres of the public domain, besides a large amount of money.

Mr. McKELLAR. That is correct.

Mr. LEVER. And the Government has expended \$3,000,000 in the Philippine Islands and \$2,000,000 in Porto Rico toward good roads.

Mr. McKELLAR. Yes; the gentleman is correct about that.

Speaking of the bill itself, Mr. Chairman, it seems to me that this is almost an ideal measure. The opponents of any national aid to roads present three questions. One is the State rights question, which I have already discussed. The other is that it is a scheme of automobilists, the idle rich, to run over our country on splendid pikes. I stop right here to say that this bill certainly does not merit the criticism that it is for the benefit of the automobile owner. It is rather for the benefit of all classes of people, including the automobile owner. I have no doubt that every automobile owner in this country when he comes to consider the bill will be in favor of it, and why? Because he is in favor of all good roads; but it is not for his exclusive use and can not be used exclusively by him, but it is for the benefit of the farmer and the merchant and the mechanic and every other man in every other walk of life; and not only the men, but for the women, and children who go to school day after day.

The next proposition is that it costs too much. I want to discuss the question of cost. As I said, I come from a city, but I was born in the country. I have not been here a very long time, but some of the figures used by this Congress in appropriation of money are simply astounding to me. It is difficult for my mind to conceive the immense sums of money that are expended by Congress. I want to say that gentlemen are here who will vote hundreds of millions of dollars every year for a great Navy, because of a defense which it is very doubtful if we need. Yet, when it is proposed to build up our whole country by the expenditure of fifteen or twenty millions of dollars for good roads, they balk, because it is said that it costs too much.

Mr. MICHAEL E. DRISCOLL. That would not be a fleabite.

Mr. McKELLAR. I am in favor of a great Navy. I do not mean to oppose it, but we must not go wild on such subjects.

We must not interfere with the growth or prosperity of our country, which we are here to serve in every capacity. Gentlemen who talk about cost—and I have no doubt my good friend from New York [Mr. MICHAEL E. DRISCOLL] is one of them—never hesitate to vote \$90,000,000 per year for a standing army. Think of it, \$90,000,000 per year for a machine with which to kill people, and not a cent to aid the school children in getting to school and the workmen and the farmers of this country in getting themselves and their wares to market.

Now, Mr. Chairman, the Agricultural Committee of this House has recommended to the House for passage a bill which is in direct accordance with the letter and spirit of the Democratic platform, and is in accordance with the spirit of the Republican platform. The bill is as follows:

Be it enacted, etc., That for the purposes of this act certain highways of the several States and the civil subdivisions thereof are classified as follows: Class A shall embrace roads of not less than 1 mile in length upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide composed of shells, vitrified brick, or macadam graded, crowned, compacted, and maintained in such manner that it shall have continuously a firm, smooth surface; and all other roads having a road track not less than 9 feet wide of a construction equally smooth, firm, durable, and expensive, and continuously kept in proper repair. Class B shall embrace roads of not less than 1 mile in length upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide composed of burnt clay, gravel, or a proper combination of sand and clay, sand and gravel, or rock and gravel, constructed and maintained in such manner as to have continuously a firm, smooth surface. Class C shall embrace roads of not less than 1 mile in length upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, with ample side ditches, so constructed and crowned as to shed water quickly into the side ditches, continuously kept well compacted and with a firm, smooth surface by dragging or other adequate means, so that it shall be reasonably passable for wheeled vehicles at all times.

SEC. 2. That whenever the United States shall use any highway of any State or civil subdivision thereof which falls within classes A, B, or C for the purpose of transporting rural mail, compensation for such use shall be made at the rate of \$25 per annum per mile for highways of class A, \$20 per annum per mile for highways of class B, and \$15 per annum per mile for highways of class C. The United States shall not pay any compensation or toll for such use of such highways other than that provided for in this section, and shall pay no compensation whatever for the use of any highway not falling within classes A, B, or C.

SEC. 3. That any question arising as to the proper classification of any road used for transporting rural mail shall be determined by the Secretary of Agriculture.

SEC. 4. That the compensation herein provided for shall be paid at the end of each fiscal year by the Treasurer of the United States upon warrants drawn upon him by the Postmaster General to the officers entitled to the custody of the funds of the respective highways entitled to compensation under this act.

SEC. 5. That this act shall go into effect on the 1st day of July, 1913.

This bill was recently introduced by Mr. SHACKLEFORD, but it is the result of a conference of those Congressmen who have introduced road bills at this session, which is shown by an agreement which I shall make an appendix to my remarks.

In the first place, under the terms of this bill the United States Government does not have jurisdiction over a square inch of the States' territory. The United States Government does not have supervision even over any road in the country; it does not even say how or where the money which is appropriated shall go. Nay; it does not even say that the money appropriated shall go to the purpose of good roads. No jurisdiction or authority of any kind, nature, or description is retained by the Government over roads or over the money that is appropriated for this purpose under the provisions of this bill. As I have said before, the question of State rights can not be involved, because the Federal Government does not attempt by this bill to exercise the slightest right or jurisdiction over any road, but pays to the States or to the counties thereof a yearly rental for each mile of road used under the terms of the bill.

Another proposition is that this is not an automobile association bill. The kind of bill that the so-called idle rich or the automobile owners would want would be a bill providing for the building and maintenance of great national highways, leading from one part of the country to the other and from one State to the other, on which they could tour the country from time to time as inclination suggested.

This bill does not provide for any such roads, but on the contrary it does provide for the furnishing of money by which roads may be built and maintained for all of the people in the country. It is, indeed, a country people's bill and will inure to the benefit of the farmers and the gardeners and the wagon men generally all over the country. It is true that it will inure also to the benefit of the automobile owners, because they will use good roads just like all the rest of the community, but in the sense that it will furnish them great national highways this bill will not effect that purpose.

Another proposition is the question of expense. If improved roads average \$22.50 per mile, the total appropriation will be \$4,275,000. If half of the dirt roads of this country can be improved within the provisions of the act—which I think is exceedingly doubtful—the amount paid out on account of such roads will be \$15,000,000, or a total of \$19,275,000. This is an exceedingly small sum for so important a subject of legislation as roads. In comparison with what we expend for other lesser purposes, the amount of it should not be considered at all, as I shall hereafter more particularly point out.

There are several minor objections to the bill, which I now wish to touch upon. One of these objections is that there ought not to be a different amount paid by the Government for a different class road, but that the Government should simply employ an officer to get the roads at the cheapest price possible and pay for them according to what they were worth. The idea would be that if the Government wanted horses they would buy them in that manner. That kind of argument may be true as to horses, but it is wholly inapplicable to the question here at issue. The object here is not to get roads at the lowest price at which they may be obtained, for it would be hard to classify their values, but the object of the bill is to furnish an incentive to road building in this country, and to put every county and State in the Union on its mettle, so to speak, in the matter of road building; and the rentals mentioned are to be considered as an encouragement to road building, and thereby cause every county and every State to put forth its best efforts in order to get as much of the rentals as possible. I believe that at first the great object of States and counties will be to bring their roads within class C and afterwards, of course, they will be ambitious and bring them within class B, and then, of course, to get them within class A, where the maximum rentals are paid. No greater incentive to the building of roads could be established than that fixed by this bill. It will prove a solution to the whole question of road building and maintenance in this country. It is really difficult for me to see how anyone who really desires good roads could be opposed to this bill.

Another objection is that the Government ought not to pay anything for the use of public roads in transporting mails of the Government. A valued friend of mine in this House made this statement to me a few days ago, and yet the United States Government has been appropriating year by year from forty to fifty millions of dollars a year to the railroads of the country for the privilege of carrying United States mail over such roads. My friend's opinion and reasons are not consistent. If it is of value to pay the railroads of this country for the privilege of transporting mails over them—and no reasonable person would say that it is not—surely then it is of value to transport the mails over the public roads of this country; and there is no reason why the owners of such roads should not in like manner be compensated for their use, especially when it will mean the upbuilding of the whole country.

Another objection that was raised to the bill was that there was no provision therein even directing that this money should be expended by State and county governments for roads. This is true, and, in my judgment, it ought to be so. The bill ought to leave the matter entirely with the States and counties to say what shall be done with the money. I do not believe there is a reasonable man on the floor of this House who would say, in his judgment, that the counties and States of this Nation would not expend the rentals thus received for roads. But suppose they did not, what would be the effect? It would be that they could not get the rentals. They are obliged to keep up the roads within the three classes fixed by the bill; otherwise they get no money. When the matter was first suggested, it seemed to me that there ought to be a provision to the effect that such money should be used for the building of roads; but, upon reflection, the objection to such a course would be that the National Government would have to have an officer to see whether or not the money was so used, and thus there would be injected into the act the question of invasion of States rights. I believe that it is wholly unnecessary to have any provision as to what use the money shall be put to, because the effect of the act will cause the beneficiaries thereunder to use the money for the purpose of constructing and maintaining their roads.

Another objection that has been urged is that the bill is wrong because the States and counties having more improved roads will get so much more money than those that have fewer or no improved roads. It is undeniable that the States and counties having the most improved roads will get the most money, and it ought to be so. These States and counties have already gone to great expense for the improvement of their roads, and in any measure of this kind they ought to get more;

but this does not prevent the States and counties having no improved roads from getting their full share of the appropriation. All they have to do is to expend money on their roads, and then they will be entitled to the same amount other States are which already have improved roads. Indeed, in my judgment, this is one of the principal advantages of the bill, in that it affords an incentive to States and counties to build improved roads. Rhode Island, having, as it does, 49 per cent of her roads improved, will unquestionably get the largest percentage of rentals. Massachusetts, with practically the same percentage, will come next; then Indiana, with 36 per cent; then Ohio, with 27 per cent; and so on down the line. It is perfectly true that States like West Virginia, with less than 2 per cent of her roads improved, and Texas, with just about 2 per cent of her roads improved, will get very little money in classes A and B; but those States are now expending very large sums of money on roads, and with this additional incentive, no doubt, they will soon be high up among the States that get the benefits for having improved roads.

Now, Mr. Chairman, before discussing further the question of expense, I wish to speak for a few moments about the general subject of roads. The high cost of living is one of the great questions before the people of this country. Students of political economy everywhere are undertaking to solve this mighty problem, and our politicians and statesmen would be delighted to find the remedy therefor. In my judgment—and I believe I can prove it—one of the remedies for the high cost of living is the establishment of good roads. In this connection I desire to call the attention of the House to a comparison of conditions in this country with the conditions in France on the subject of roads. In the United States a team in the worst hauling season is able to transport an average of only about 800 pounds, while in France every good draft horse is expected to draw about 3,300 pounds a distance of more than 18 miles a day any day in the year. As a result of the difference in road conditions, the farmers of France haul their products to market on an average cost of about 10 cents per ton per mile, and in some cases even less than that, whereas in America our farmers are forced to pay for transporting their products to market about 23 cents per ton per mile. When we take into consideration the vast tonnage that is yearly hauled over the roads of this country what an immense saving it would be to the farmers of this country to have good roads. It has been estimated by the Office of Public Roads of this Government that the saving on this kind of transportation alone would amount to somewhere in the neighborhood of \$1,000,000 a day or \$350,000,000 per year. The people of France have more money per capita than any other people in the world and their condition is exceedingly prosperous. Country life there is exceedingly delightful and pleasant, and more because of good roads than for any other reason; indeed, it has been claimed that the building and maintenance of these roads, which are the best in the world, is of more value to France than her railroads. It has prevented her population from flocking to the cities, as is the case in America. One of the greatest questions now before our people is the undue movement of the country population to the cities and what is necessary to prevent it. Good roads and the conditions that are arising from having good roads will do more to prevent it than anything else. It gives the people of the country better social advantages, better educational advantages, and as far as aid and material welfare and happiness is concerned, nothing could be of greater advantage to them, with the one exception of school facilities. It will enable the farmer to economize time and force in transportation between farm and market; it will enable him to take advantage of the market fluctuations in buying and selling; it will enable him to carry larger loads; it will enable him to buy and sell his products cheaper and still make more money on the transaction; it will enable him to transport his farm products as well as his purchases during times of comparative leisure; it will enable him to haul in bad weather, which is now practically impossible in most of the counties in any of the States; it will reduce the wear and tear on his horse and on his harness and on his vehicle; and, more than all else, it will enhance to an enormous extent the market values of all of their farms.

It is argued that the expense will be too great. From a report that was made by Mr. Morris O. Eldridge, chief of the records of the Office of Public Roads, printed in 1907, but which shows conditions in the year 1904, there was expended by all the States and counties of this Nation a little more than \$80,000,000 for the construction and maintenance of public roads. Of this sum about \$20,000,000 was furnished in labor and not in money, so that there was actually appropriated in money by the State and county governments of the Nation about \$60,000,000. Ohio led at that time with an expenditure of \$5,706,000; New York came

next with an expenditure of \$5,692,000; Indiana came in next with an expenditure of \$4,335,000; Illinois came fourth with an expenditure of \$4,210,000. It was further shown that Indiana had more miles of improved roads than any other State in the Union. Tennessee has only about 13 per cent of her roads improved. A like report has been gotten out since that time in the present year, but showing conditions in the year 1909. This second report shows that there were some 40,000 more miles of improved roads in 1909 than there were in 1904, but the second report does not show the amounts appropriated in the year 1909 by the United States, but an estimate probably would not exceed \$100,000,000. Suppose then that this bill carries only \$20,000,000 per year; certainly it will be of mighty benefit to the cause of road building and road maintenance in this country. If by building good roads we can reduce the cost of transportation in rural communities from 23 cents a ton per mile to 10 cents per ton per mile; if we can make conditions of country life more attractive and thereby prevent the undue flocking of people to the cities and the many evils attendant thereon; if we can increase the value of all farm lands; if we can aid in the reduction of the high cost of living; if we can give all the country children of this country better school facilities; if we can give all the country people better educational, religious, and social advantages, is it not our duty to pass this bill? We spend in round numbers some \$125,000,000 per year on our Navy; we spend some \$90,000,000 per year on our Army; we spend some \$26,000,000 per year in cleaning out and improving our waterways and harbors; we spend \$47,000,000 a year for carrying our mails on the railroads of this country, and yet we do not expend a cent for the use, construction, or maintenance of public roads, which is more important than all of the foregoing except railroad transportation. In other words we are spending mighty sums for our supposed defense when it is doubtful if we need any defense, while we spend practically nothing for our general welfare, which is of far more importance in this day and time of the world's history. I am not opposed to the Navy or to the Army. I believe in both. A reasonable amount for both should always be appropriated, but I believe it is foolish to run wild on such subjects and overlook the most obvious needs of our country.

Another reason why this bill should pass is because of the increased use of roads by the Government in carrying out the limited parcel-post provision of this bill, which I believe will pass at this time. This will vastly increase the use of country roads by the Government, and it will bring all country people in closer touch with their Government.

Nearly all other Governments have the parcel post. It has been a success with them. It has come to the United States, and has come to stay. It may be postponed, and a general law probably should be postponed until we know just what is best, but it will not be sidetracked, because it affords cheaper transportation of goods for the people, and naturally the people want it and will have it. The express companies are leeches upon the body politic. They have had their day. They must lower their rates or go out of business. Our country merchants and our city merchants need have no fear of a parcel post. It will benefit them as well as the public generally to get cheaper transportation for their wares. They need not fear the large mail-order houses in the great cities. We will get all the facts under this bill and enact a law that will protect all merchants alike and benefit all the public.

Down in my country the people have no concrete, selfish connecting link, practically speaking, between them and our National Government; there are no monthly or quarterly pension checks to remind them of the Government at Washington; \$125,000,000 appropriated for the Navy means nothing to them, for they are far removed from anything that even pertains to the Navy; \$90,000,000 for the Army is to them simply an array of figures, as the Army and its movements and its interests are, so far as they are concerned, a thing apart; \$27,000,000 for rivers and harbors means little to the people of west Tennessee, where there have been no river improvements in so long that the memory of man runneth not to the contrary. Never a cent does the tenth congressional district get for her levees, and the city of Memphis has to build her own levees to keep the water out as best she can, which sometimes she does and sometimes she does not. The water has gone so unprecedentedly high this year, however, that we are greatly in hopes of getting some much-needed aid from the Mississippi River Commission, and if we do not I feel sure that this House and this Congress will give us aid.

I do not mean to cast any reflections on the Mississippi River Commission, for I have no doubt that it is doing the best it can with the money it has; but we should give it more money. Fifty million dollars for railroad postal service means nothing

to our people, because there are no railroad owners in Memphis, and they give value received in stamps for all their letter transportation. As I said before to my distinguished friend from New York [Mr. MICHAEL E. DRISCOLL], the tangible connection between my people and the Government is composed largely of garden seed and a lofty patriotism. He knows the benefits his district is receiving from the National Government. Does he conscientiously think these are being fairly and evenly divided, comparing the benefits that his district is receiving with those that mine is receiving?

Mr. Chairman, the people I represent are a brave, sturdy, and an optimistic people. They are taxed to help keep up our splendid naval armament, and pay their proportion of the \$125,000,000 claimed to be necessary for that purpose without a word of complaint, notwithstanding the fact that they have not a mile of seacoast and that a battleship could not get within 500 miles of them. They are a peace-loving people, and would rather our Government would aid in building up a great merchant marine to promote our trade and commerce with the nations of the world, and thus contribute to their welfare and happiness and prosperity and to the welfare and happiness and prosperity of their fellow citizens. Yet when their Government says millions for the pomp and parade of power by the patrolling of the sea with death-dealing *Dreadnoughts* and not one cent toward securing supremacy in foreign trade, they have no word of complaint. They are taxed to keep up our Army and pay their proportion of the \$90,000,000 per year used for that purpose, though they do not believe in a standing army in time of peace or in the idea that it is our duty to give so large a part of our hard-earned wealth toward governing the far-off islands of the sea, whose inhabitants are neither desirous of or grateful for our assistance. They would much prefer that at least a portion of these millions should be spent in educating the ignorant of our own land, and in making them better citizens and happier and more prosperous men and women; but when their Government says that one-tenth of all their taxes shall go for foreign missions in the way of holding the Philippines and other islands, whether the distant and colored foreigners want our aid or not, they still make no complaint, though they do not believe that this is the legitimate sphere of our Government. They are taxed to pay our enormous pension list, and they pay their proportion of these \$160,000,000 cheerfully to the extent that they believe that the money goes to the bona fide defenders of their country, for they believe that the honest and courageous defender of his country should be cared for by the Government in his declining years. They would much prefer that the rule of correcting military records 50 years after those records were made and the promotion of officers on the retired list should be abolished, and that the large sums thus annually spent should be used for other and better purposes; but their Government's acts are their acts in the premises, and still they make no complaint.

They are taxed to keep up Army posts on the desolate plains of Wyoming and on the inaccessible heights of Fort Duchesne and to build useless \$75,000 public buildings at the hamlets of Sundance and Kiosk on desolate western plains. They believe this is a useless extravagance, but still they do not complain. They are taxed to keep up the great Post Office Department of the Government, and they believe that much of the \$250,000,000 spent by that department of our Government is injudiciously spent in extravagant contracts with railroad lines and steamship companies; but as long as they can get a letter through the mails directly by paying for the service its full value they still do not complain. And so when the Government taxes them for the benefit of the Steel Trust, and the Woolen Trust, and the Tobacco Trust, and the Meat Trust, and the Butter Trust, and the Sugar Trust, and the Beef Trust, they still work on, complaining just a little, but optimistically hoping for better things. But while not complaining very much, Mr. Chairman, they do think that inasmuch as these special interests receive so much at the hands of the Government and these other portions of the country receiving so many benefits from the Government not received by them—they only receiving garden seed—that they might be permitted to get a small rental for the use of their roads and a little aid in keeping the Government's water, the great Mississippi River, out of their homes. In asking this they are perfectly willing that other portions of the country should receive the same proportionate, and even greater, rental for their roads, and they are willing to take even less protection from the Government's water than other portions of the country get. But they do want to feel that their Government has a little interest in their welfare and a little regard for their protection. Under the circumstances is it asking too much that our people should want this road bill to pass? Is it asking too much that their application to Congress should be granted that their

homes might be protected from the waters of the great Mississippi River?

Seriously, Mr. Chairman, Tennessee has always done her full part by our great Nation. Though but a Territory at the time, her sons bore the brunt of the fight at Kings Mountain, which was the turning point in our war for national independence. In the War of 1812 it was largely her sons, under the leadership of the dauntless Andrew Jackson, who at New Orleans broke the pride and power of the British Army and made that great nation feel that it would never do again to wage war against American arms. In the Civil War Tennessee furnished almost as many troops to the defense of the Union cause as Rhode Island, Vermont, or New Hampshire. In the Spanish War the State was made a rendezvous for the American Army, and her sons almost with one accord volunteered in behalf of their country's cause. They are a dauntless race of people and stand ever ready to defend their common country and to protect its honor. But they do wish for their Government to treat them fairly and to divide more evenly the benefits of that Government, and they believe it will.

Mr. Chairman, I hope this bill will pass, and afterwards, at another time, this Congress will give our Tennessee people protection from the floods of the great Father of Waters.

APPENDIX A.

To the Committee on Agriculture:

The undersigned Members, who have introduced bills on the subject of good roads, desiring to secure, as far as possible, harmony and unity of action among the friends of such legislation, have conferred, with a view to agreeing upon a bill. After careful consideration we have prepared and agreed upon the subjoined bill and requested Mr. SHACKLEFORD to introduce it on behalf of us all. We have further requested Mr. SHACKLEFORD to appear before you and respectfully bespeak for the bill early and favorable consideration.

Very respectfully,

EZEKIEL S. CANDLER, Mississippi; J. THOMAS HEFLIN, Alabama; THOS. L. RUBEY, Missouri; JOHN J. WHITACRE, Ohio; JOSEPH A. TAGGART, Kansas; JOSEPH HOWELL, Utah; JAMES P. BYRNES, South Carolina; KENNETH D. MCKELLAR, Tennessee; E. W. SAUNDERS, Virginia; WILLIAM B. FRANCIS, Ohio; RICHARD W. AUSTIN, Tennessee; SCOTT FERRIS, Oklahoma; D. R. ANTHONY, Jr., Kansas; GEORGE WHITE, Ohio; WALTER L. HENSLEY, Missouri; JAMES M. COX, Ohio; GEORGE A. NEELEY, Kansas; J. J. RUSSELL, Missouri; J. H. GOEKE, Ohio; H. D. FLOOD, Virginia; BURTON L. FRENCH, Idaho; T. T. ANSBERRY, Ohio; C. C. ANDERSON, Ohio; P. P. CAMPBELL, Kansas; S. F. PROUTY, Iowa; W. C. ADAMSON, Georgia; BIRD MCGUIRE, Oklahoma; D. W. SHACKLEFORD, Missouri.

APPENDIX B.

TENNESSEE.

Mileage of public roads, 1909.

County.	Total mileage of all public roads.	Mileage of improved roads.			Approximate percentage of roads improved.
		Stone.	Gravel.	Total.	
Anderson.....	350	70	4	74	21.14
Bedford.....	475	125		125	26.31
Benton.....	430		15	15	3.48
Bledsoe.....	300		10	10	3.33
Blount.....	550	13		13	2.36
Bradley.....	325	5	175	180	55.38
Campbell.....	560	43	12	55	9.82
Cannon.....	325		7	7	2.15
Carroll.....	625				
Carter.....	350				
Cheatham.....	300		14	14	4.66
Chester.....	260				
Claborn.....	490	5		5	1.11
Clay.....	350		5	5	1.42
Cocke.....	400	80		80	20.00
Coffee.....	375				
Crockett.....	365				
Cumberland.....	550				
Davidson.....	600	182	60	242	40.33
Decatur.....	350		43.5	43.5	12.42
Dekalb.....	350	50	25	75	21.41
Dickson.....	500		4	4	.80
Dyer.....	480	10	10	20	4.16
Fayette.....	600				
Fentress.....	450				
Franklin.....	600	2		2	.33
Gibson.....	600				
Giles.....	600	50	125	175	29.16
Grainger.....	300	5		5	1.66
Greene.....	600	1		1	.16
Grundy.....	500				
Hamblen.....	300	96		96	32.00
Hamilton.....	600	125	20	145	24.16
Hancock.....	210				
Hardeman.....	750		3	3	.40
Hardin.....	700		20	20	2.85
Hawkins.....	700	26		26	3.71
Haywood.....	555		7	7	1.26
Henderson.....	400				
Henry.....	400	3.5		3.5	.87
Hickman.....	707				

TENNESSEE—Continued.
Mileage of public roads, 1909—Continued.

County.	Total mileage of all public roads.	Mileage of improved roads.			Approximate percentage of roads improved.
		Stone.	Gravel.	Total.	
Houston.....	215		5	5	2.32
Humphreys.....	555				
Jackson.....	325				
James.....	166		39	39	18.07
Jefferson.....	300	103		103	34.33
Johnson.....	200				
Knox.....	1,026	248	1	249	24.26
Lake.....	114				
Lauderdale.....	450	4.5	4.5	9	2.00
Lawrence.....	750	30	10	40	5.33
Lewis.....	250		20	20	8.00
Lincoln.....	795	13	140	153	19.24
Loudon.....	200				
McMinn.....	450		30.5	30.5	6.77
McNairy.....	570				
Macon.....	250				
Madison.....	500	65		192	38.40
Marion.....	500	22	18	40	8.00
Marshall.....	250	125	20	145	58.00
Maury.....	836	215	111	326	38.99
Meigs.....	225		3	3	1.33
Monroe.....	500	10		10	2.00
Montgomery.....	700	32	94	126	18.00
Moore.....	200		10	10	5.00
Morgan.....	300				
Obion.....	700				
Overton.....	500				
Perry.....	400				
Pickett.....	250				
Polk.....	500				
Putnam.....	400	78		78	19.50
Rhea.....	342	5	11	16	4.67
Roane.....	550	45	8	53	9.63
Robertson.....	500				
Rutherford.....	1,000	275	175	450	45.00
Scott.....	500	9		9	1.80
Sequatchie.....	250		12	12	4.80
Sevier.....	575	25	6	31	5.39
Shelby.....	2,500		600	600	24.00
Smith.....	400		190	190	47.50
Stewart.....	350	1	25	26	7.42
Sullivan.....	550	75		75	13.63
Sumner.....	840	100	250	350	41.66
Tipton.....	300				
Trousdale.....	160		20	20	12.50
Unicoi.....	89				
Union.....	225	35		35	14.89
Van Buren.....	250				
Warren.....	533		72	72	13.50
Washington.....	300	2	1	3	1.00
Wayne.....	700		16	16	2.23
Weakley.....	550				
White.....	370	100	20	120	32.43
Williamson.....	700	35	80	115	16.42
Wilson.....	1,000	140		140	14.00
Total.....	45,913	2,684	2,542.5	5,353.5	11.66

¹ Includes 127 miles of sand-clay roads.

RECAPITULATION.

	1904.	1909.	Gain.
Total.....	48,989	45,913	3,076
Stone.....	1,774	2,511	737
Gravel.....	2,684	2,542.5	141.5
Total.....	4,458	5,053.5	595.5
Gain.....		910	31.5

Cost data, 1909.

County.	Average cost per mile.		
	Sand-clay.	Gravel.	Macadam.
Anderson.....			\$4,000.00
Bradley.....		\$1,000.00	2,500.00
Campbell.....		2,500.00	3,500.00
Clatsop.....			4,000.00
Coeke.....			3,000.00
Decatur.....		1,000.00	
Greene.....	\$1,250.00		
Hamblen.....			3,000.00
Hamilton.....			2,000.00
Hardin.....		1.00	
Hawkins.....			1,500.00
Henry.....		1,855.00	
Jefferson.....		1,600.00	3,100.00
Knox.....			4,500.00
Lake.....		5,000.00	
Lincoln.....		400.00	
Madison.....	1,500.00		5,100.00
Marion.....		2,500.00	3,000.00
Marshall.....			1,000.00
Montgomery.....		1,200.00	3,000.00
Overton.....			1,500.00
Rhea.....		800.00	
Roane.....			2.30
Scott.....			4,000.00

¹ This road was built in Shiloh National Park at the rate of \$1 per square yard.

² Per square yard.

TENNESSEE—Continued.
Cost data, 1909—Continued.

County.	Average cost per mile.		
	Sand-clay.	Gravel.	Macadam.
Sequatchie.....		\$1,500.00	
Sevier.....			\$2,000.00
Shelby.....		1,350.00	
Sullivan.....			4,000.00
Sumner.....	\$400.00		700.00
Trousdale.....		2,000.00	
Union.....			1,800.00
Warren.....		2,000.00	2,000.00
Wayne.....		750.00	
Williamson.....			800.00
Average.....	1,050.00	1,697.00	2,727.00

Mr. GARDNER of New Jersey. Mr. Chairman, I yield 27 minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL. Mr. Chairman, the proposition to which I want to address myself is involved in a bill, H. R. 12823, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That from and after the 1st day of January, 1913, it shall be unlawful for any railway company engaged in interstate and foreign commerce by carrying or transporting goods, wares, and merchandise from one State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, or from any foreign country to any State or Territory or the District of Columbia, or from any State or Territory or the District of Columbia to any foreign country, to lease, sublet, or permit any other person, firm, company, or corporation the right to carry or transport for hire articles of commerce over its lines of railway, either in cars or facilities furnished by the railway company or by any other person, firm, company, or corporation.

SEC. 2. That from and after the 1st day of January, 1913, it shall be the duty of all railways engaged in business as common carriers in interstate and foreign commerce to furnish cars and other facilities for carrying and transporting parcels and packages on passenger, mail, or express trains without the medium or intervention of the so-called express companies.

SEC. 3. That it shall be the duty of all railway companies subject to the provisions of this act to make, promulgate, and publish schedules of parcel freight rates, to be approved by the Interstate Commerce Commission, as required by section 6 of the interstate-commerce act as amended June 20, 1906, and June 18, 1910.

SEC. 4. That the managing officers and agents of any railway company subject to the provisions of this act that violate any of the provisions hereof shall be deemed to be guilty of a misdemeanor, and shall be punished, on conviction, for each offense by a fine of not less than \$1,000 and by imprisonment for not less than 6 months.

SEC. 5. That it is herein made the duty of the Interstate Commerce Commission, under the power conferred upon it by the interstate-commerce act and its amendments, to enforce the provisions of this act.

SEC. 6. That all acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Mr. CAMPBELL. Mr. Chairman, this is a bill that I first introduced about two years ago and again during the last session of this Congress. There was considerable discussion of the bill in some of the metropolitan newspapers when it was first introduced. This led to a correspondence with me relative to the bill, and I have here on my desk now about 5,000 letters and resolutions upon the subject. I think it is safe to say that not to exceed a dozen of them oppose the general purpose of the bill. My proposition is to eliminate the express companies entirely from the business of carrying parcels or packages and require the railroad companies to file rates, to be approved by the Interstate Commerce Commission, for the carrying of parcels as they file rates for the carrying of heavier freight, and in that way bring about a large saving to the sellers and buyers of parcels that are carried now by the express companies. It is needless for me to say that there has long been a widespread protest against the extortionate charges made by the express companies. I want to avoid needless criticism. I want to put the proposition clearly upon its merits and upon the right of the people of this country to have their chartered common carriers perform all the functions of common carriers that is done on their lines.

Mr. ANTHONY. Mr. Chairman, does the gentleman's plan embrace the delivery of parcels by the railroad companies after they reach their destination as well as their transportation?

Mr. CAMPBELL. Yes; that, of course, is a part of the business.

Mr. ANTHONY. That the railroads shall assume the complete functions of the express companies?

Mr. CAMPBELL. Exactly so, and employ the same men to do the work, and furnish these men a better employer and, in many instances, higher and better wages, working under more satisfactory conditions than they do to-day.

Mr. BOWMAN. As in the case of the Great Northern Railway Co.?

Mr. CAMPBELL. The Great Northern Railway Co. does its own express business.

Mr. BOWMAN. Under contract with individuals in each city.
Mr. CAMPBELL. Yes; to pick up and deliver its packages. We pay anywhere from three to five times as much for carrying packages of a parcel nature as any other country in the world.

We should, perhaps, expect express charges to be higher per ton here than abroad. But no necessary economic cause is known which justifies a substantially higher proportion or ratio of the express to the freight charges here as compared with other countries, however. The average express charge per ton here is shown to be \$31.20, while the average freight charge is \$1.90 per ton, giving a ratio of the express charge to the freight charge of 16 (16.42) to 1. This express charge includes the cost of such pick-up and delivery service as is rendered, covering, it is thought, about 90 per cent of the traffic. I will give a table embracing 11 countries, which shows the ratios of these charges. The table includes all countries where the express data are clearly distinguishable from general freight statistics:

Ratios of average express charges to average freight charges in 11 countries.

Countries.	Average express charge per ton.	Average freight charge per ton.	Ratios of average express to freight charges.
Argentina.....	\$6.51	\$1.95	3.2 to 1
Austria.....	3.77	.74	5.0 to 1
Belgium.....	4.92	.53	9.3 to 1
Denmark.....	5.49	.87	6.3 to 1
France.....	6.88	.95	7.2 to 1
Germany.....	3.80	.76	5.0 to 1
Hungary.....	3.68	.93	3.9 to 1
Netherlands.....	2.43	.67	3.6 to 1
Norway.....	1.90	.49	5.0 to 1
Prussia.....	4.32	.86	5.0 to 1
Average for 10 countries.....			5.23 to 1
United States.....	\$31.20	1.90	16.42 to 1

The express companies in this country now charge \$31.20 a ton for carrying packages; an 8-cent postal rate would be \$160 the ton and a 12-cent \$240 the ton, the only advantage being delivery of the package in the country when it could pay such a rate. About \$17 per ton should pay every reasonable charge for this service when the service is performed by the railroads, as I now propose.

There is less of parcel carriage upon the railways of this country in proportion to the other freight than in any other country of the world, and all because of the practically prohibitive rates charged by the express companies. Why are these extortionate charges made? Why is it that American express charges are higher than any other people have to pay for carrying like packages on the railways of other countries? The reason is simply this—the intervention of the express companies. An express business was done before the railways were made. It was a business of carrying small parcels across the country. They did that on stagecoaches. As soon as the railway companies were built it was most natural that they should give up their stagecoach and make arrangements with the railway companies to carry their parcels on the railway trains. These contracts have been made from year to year by the express companies since the advent of the American railway. There are 13 express companies, and they control the small freight business of the country to-day, which should be done by the railroads that are chartered as common carriers.

These express companies are not chartered as common carriers. They are voluntary associations or companies or individuals, and too often some of the higher officials of the railway company that has a contract with the express company are interested in the express company, to the detriment of the stockholders of the railroad company. The contract made by the railway company with the express company is of doubtful authority. That is to say, it is doubtful, if the question had been raised early, whether or not the railroad company, that is chartered as a common carrier, had a right to delegate or lease or sublet to a concern that is not chartered as a common carrier the right to carry or to do the business of a common carrier on its lines.

Mr. LOBECK. Then the gentleman is against letting subsidiary contracts?

Mr. CAMPBELL. The common carrier is responsible to the public for the transportation of its products. Here are concerns made up of individuals or of companies, as the case may be, without charter authority, acting as the common carrier and doing a general business as such.

Mr. MANN. Will the gentleman yield? The gentleman does not doubt the express companies are common carriers?

Mr. CAMPBELL. Oh, they have been declared to be so by statute for purposes of regulation, but not by charter. I have

been careful to note only that they were not chartered as common carriers. We declared them common carriers in 1906 so we could control them. I thought then, and I think now, they are mere parasites on the railroads and that they should be entirely eliminated.

Mr. MANN. I would like to ask the gentleman, if I may. The railroad company now carries any size package delivered to it?

Mr. CAMPBELL. Oh, yes.

Mr. MANN. At a fixed rate?

Mr. CAMPBELL. Yes.

Mr. MANN. The gentleman does not intend to have packages carried at those rates by the railroad company?

Mr. CAMPBELL. Oh, that is a matter of detail. What I intend is that parcels that are now carried by the wish of the consignee or consignor, by express rather than by freight, shall be carried by the railroad company rather than by the express company.

Mr. MANN. I understand. It is six of one and half a dozen of the other who carries it. The question is the service. The railroad company will carry any package now by freight at a rate fixed?

Mr. CAMPBELL. Yes.

Mr. MANN. The gentleman would not expect that the railroad company would raise the rates on packages that are now carried by freight nor would he expect them to carry packages by express at the same rate.

Mr. CAMPBELL. Oh, not at all. I expect the railroad companies to file different rates for carrying parcels on express, passenger, and mail trains from the rates they file for carrying freight on their freight trains.

Mr. MANN. Does the gentleman's experience with the railroad companies lead him to believe that transferring packages from one railroad to another would produce expedition by having them do that instead of having one company do it?

Mr. CAMPBELL. Well, that is a question of detail that is involved in this problem; but the gentleman from Illinois now purchases a ticket to Chicago, and he goes on that ticket clear through over probably half a dozen or a dozen different lines of railroad.

Mr. MANN. Yes; and it is a good deal of trouble for the gentleman to do that, but he moves himself; the package does not move itself; it has to be moved by some one else. The gentleman says it is a matter of detail. In my judgment, it is the whole substance of the question, whether the railroad companies separate taking packages to be delivered to any house, requiring those packages to be transferred at terminal points, will do it with the same expedition that one company does that is prepared to take care of it where there is no conflict between the companies.

Mr. CAMPBELL. I am aware that there are difficulties about the question, but I often check a grip and it goes through on the same train I do, on the same train that the express company takes packages of similar size through, and it goes through just as rapidly as they do, and I see no reason why, with a similar check or stamp, any package might not go through on the same train and with as good service.

Mr. MANN. If the gentleman has never had difficulty about getting his baggage, he is exceptionally lucky.

Mr. CAMPBELL. Oh, I have had difficulty about getting express, and it is not at all unusual that express packages are lost or delayed in their delivery. I am not pretending that any system of carrying small parcels is absolutely perfect or can be made so. I think a check or stamp system will insure good service—with checks we get good service for baggage in fast trains making through connection. We get good service for through mail on the same trains with a stamp system.

If both of these plans or rules that could be devised fail, then the plan of the gentleman from Maryland [Mr. LEWIS] could be adopted—that is, the Government making similar arrangements with the railroads for postal express to that it now has for mail.

But the fact is that the large majority of packages in which the country is interested are carried but a short distance, and very often over the same line of railroad. The long-distance small package is a very small per cent of the number of packages that are carried in this country. The average distance is about 200 miles.

Mr. ANDERSON of Minnesota. Will the gentleman yield there?

Mr. CAMPBELL. Yes.

Mr. ANDERSON of Minnesota. I think the report of the Post Office Department shows that the average haul for fourth-class matter under present conditions is 687 miles.

Mr. CAMPBELL. I am not talking about mail matter; I am talking about express matter, and the average distance is

196 miles. The railroad companies can do this service just as well as the express companies. There is no economic reason why they can not, by adopting a check or stamp system for the safe conduct of a package from point of origin to point of destination.

Now, will it make a saving to the people of the country? Nothing will be of advantage if it will not result in saving to the people without denying anyone of just and legal rights. I concede this bill, if enacted into law, would deprive certain individuals and certain companies of privileges they now have by sufferance, and which, in my judgment, they ought not to have at all; but there would be an accruing benefit to the whole people and to the stockholders of the railroads. It is common knowledge now that the express companies have from year to year gathered up from the people of the United States enormous and colossal sums of money, and the dividends they pay have become a scandal.

Mr. MICHAEL E. DRISCOLL. Will the gentleman yield to a question right there?

Mr. CAMPBELL. Yes.

Mr. MICHAEL E. DRISCOLL. What percentage does the gentleman claim that the express companies are making now on the business done?

Mr. CAMPBELL. The express companies give the railroad companies about 47½ per cent of their gross receipts.

The physical property of all the express companies in the United States is somewhere about \$25,000,000. The gross receipts in 1909 were \$123,000,000; \$63,000,000 of that was given to the railroad companies, and the express companies had the rest of it. The railroad companies own the express cars, pay for keeping them in repair, keep them heated and lighted, and cared for, and in many instances the railway employees performed the service of handling the parcels or packages that are offered for transportation.

Mr. COOPER. The figures the gentleman gave, then, I understand, show the net profits of the express companies to be from 200 to 231 per cent. Is that so?

Mr. CAMPBELL. On their investment; yes. I am unwilling to give the express companies any property in their contracts, for the reason that, in my judgment, they never had a right to acquire such contracts from common carriers chartered by the States.

Mr. CULLOP. Will the gentleman yield for a correction there?

Mr. CAMPBELL. Yes.

Mr. CULLOP. I understood the gentleman to say the gross receipts of the express companies were \$123,000,000 in 1909?

Mr. CAMPBELL. I think that was what I stated.

Mr. CULLOP. It was \$132,000,000.

Mr. CAMPBELL. One hundred and thirty-two millions of dollars is correct. I am glad to have the correction. I had other figures in mind.

The same employees who now pick up and deliver the express packages for the 13 express companies could perform that service as railway employees, and from the letters I have here I feel confident, with much more satisfaction to the employee, than with his present employer. I have letters here that I am admonished not to publish under any circumstances, nor to divulge the name of the writers.

Mr. FOWLER. Why?

Mr. CAMPBELL. Why? Because they are afraid they would lose their jobs.

Mr. FOWLER. That is what I wanted you to say.

Mr. CAMPBELL. That is the reason, exactly. No one has been able to give a good reason for continuing the express companies. Every reason is in favor of the railroads doing the business. The express companies are parasites that get millions annually out of the public that may be saved. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARDNER of New Jersey. Mr. Chairman, I yield the remaining three minutes that I have to the gentleman from Kentucky [Mr. LANGLEY].

Mr. LANGLEY. Before beginning may I ask the gentleman from Tennessee [Mr. Moon] if he will yield me five minutes also?

Mr. MOON of Tennessee. I yield the gentleman five minutes in addition to the three.

The CHAIRMAN. The gentleman from Kentucky [Mr. LANGLEY] is entitled to eight minutes.

Mr. LANGLEY. Mr. Chairman, I desire to challenge one or two of the statements made by the gentleman from Mississippi [Mr. Sisson] regarding the Rural Mail Service. The gentleman made the statement that the rural service all over the country is paralyzed. He made the further statement, in answer to an interruption by myself, that there was one year during which no

rural routes were established, and he suggested that I could corroborate these statements if I would make inquiry of the Fourth Assistant Postmaster General. I had already talked a number of times with that official and am somewhat familiar with the subject; but, in order to get specific information, I telephoned that office the substance of the statements made by the gentleman from Mississippi [Mr. Sisson] and I have here the exact figures as to the number of rural routes established under the present administration; and let me say, in passing, that I did not get in my telephone conversation with that office any corroboration of the statements of the gentleman from Mississippi, as he said I should.

In the year 1909—and I am referring now to the net increases—there were 1,351 rural routes established, 451 in 1910, 577 in 1911, and 543 in 1912.

I am informed that no more rural routes will be opened during the present fiscal year, but that work has already begun on those to be established during the next fiscal year. In the course of this preliminary work the establishment of 21 routes, beginning July 1 next, has already been agreed upon.

It is easy for gentlemen flippantly to charge neglect of duty on the part of public officials. I have recently had occasion to read some of the speeches delivered in both branches of Congress in previous sessions, and I have been greatly surprised at the number of gentlemen who criticized in the broadest terms the management of the Post Office Department. I am glad to notice that during the prolonged debate on this pending measure the tendency to criticize that department so broadly has almost entirely disappeared. As far as I can recall, the only criticism of that character has been indulged in by the gentleman from Mississippi [Mr. Sisson].

The postal service is the greatest Government enterprise in the world, employing, I believe, about 300,000 people; involving travel by carriers, messengers, and mail trains aggregating almost a billion miles annually. I venture to say that in the history of the Post Office Department there has not been more progress made in the general development of the various branches of the work since its organization than has been accomplished since the present Postmaster General took hold of it.

I have before me one of Postmaster General Hitchcock's annual reports, in which he mentions 30 distinct improvements that have been made under his administration, not one of which, I believe, could be successfully questioned. I might also add what gentlemen already know, that he has changed a deficit of more than \$17,000,000, under which the department groaned when he took charge, to a surplus of more than \$200,000. That alone, considering the enormous amount of business conducted by this great department, is an accomplishment which does honor to Postmaster General Hitchcock. [Applause.]

I wish particularly to point out that the economies by which the Postmaster General has succeeded in transforming a huge deficit into a surplus have not resulted in any crippling of the service. There has been no harmful saving. The result has been attained by the cutting out of wasteful expenditures and the introduction of the most modern business methods. Mr. Hitchcock's policy throughout has been to extend the service as fast as population warrants and to handle more scientifically the increasing volume of mail.

To show how the service has been extended, let me tell you that during Postmaster General Hitchcock's administration 4,133 new post offices have been established; carrier delivery has been provided in 212 cities; 2,748 new rural routes, covering 66,358 miles, have been opened; the force of postal employees has been increased by more than 8,000. Furthermore, the economies that wiped out the deficit have enabled the Postmaster General to adopt a more liberal policy in the compensation of employees, the total expended for salaries last year being \$14,000,000 greater than it was two years ago, while the average annual salaries have been substantially increased.

Thus, gentlemen, you can perceive the extraordinary spectacle of a deficit wiped out, a surplus put in its place, while at the same time the service is greatly extended and improved and the employees are better paid, and also assured of one day's rest in every seven.

While I am on the subject of the Post Office Department I can not refrain from calling attention to the remarkable success achieved by the present Postmaster General in his crusade against the swindlers who use the mails to defraud. These criminals prey upon a class of inexperienced persons, largely, who can least afford to do without the money that is taken from them. The medical swindlers, not only take the money of their victims, but also leave them broken in health, perhaps on the very verge of death. Against them Postmaster General Hitchcock has waged a vigorous war of extermination.

At the outset of his administration he virtually abandoned the fraud order, as being of very little permanent good, the swindler against whom such an order was issued often resuming his practices under another name or in another place. Under the present régime the swindlers are arrested as soon as sufficient evidence is obtained, and then they are put behind the bars. Very few who have been arrested have escaped conviction. During 1911 there were arrested 529 such persons who had obtained by their devious methods more than \$77,000,000 of the American people's money. These arrests and convictions, besides putting out of business the larger dishonest operators, act as a powerful deterrent on the minor offenders, who are more easily restrained by fear than are the richer and more influential get-rich-quick men. The value of the protection thus given to the people is almost incalculable.

Another boon to the whole country is the postal-savings bank, the first 48 of which were opened in January of 1911. These experimental offices proved so successful that the system was rapidly extended, until now it includes almost all of the 7,500 presidential offices and several thousand offices of the fourth class. I am informed that after 12 months of operation the deposits reached the sum of twelve millions of dollars. I am of the opinion, Mr. Chairman, that this amount of money would probably not have been available for circulation if it had not been for the postal savings banks. Some of it would have been hoarded, some of it would have been squandered, and a large fraction of it would have been sent out of the country by foreign-born citizens.

Mr. Chairman, when I consider to what a successful issue Postmaster General Hitchcock has brought the measures for which he has obtained the authorization of Congress, when I consider his wide experience in the affairs of the postal service, I feel confident that his recommendations regarding the parcel post and the readjustment of railway-mail pay, which he urges, if they should be carried out, would result successfully and to the great advantage of the masses of the people.

Let me add that nearly 20 years ago I was a schoolmate of Frank Hitchcock. I formed an estimate of his character then which I have cherished ever since. I have watched his career with pride and admiration, and, in my judgment, there is not in the Federal service to-day a more competent, a more faithful, a more courteous and obliging gentleman than Frank Hitchcock. I am glad to have this opportunity on the floor of this House to pay this tribute to my old schoolmate and friend. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from South Carolina [Mr. FINLEY] one hour.

Mr. FINLEY. Mr. Chairman, as has often been said, the Post Office appropriation bill excites more interest amongst the membership of this House, taking the membership as a whole, than does any other appropriation bill that is considered here. The reason for this is evident; the entire population of the United States is personally and vitally interested in the postal service.

In reference to the bill under consideration now I am very glad to be able to state that in all the 14 years that I have been here there has been less debate this year on the present bill, under the five-minute rule, than there has been in any other year during my service in this House. The reason for this also is evident, and it can only mean that the bill brought in by the Post Office Committee with a united report, agreed to by both Democrats and Republicans, meets with popular favor.

The committee brings to the House of Representatives the greatest appropriation bill which has ever appeared in this House, and the greatest which has ever appeared in any legislative body in the world, so far as I am informed, amounting in round numbers to \$280,000,000.

The regular part of the bill containing the usual appropriations for the support of the postal service and making provision for the expansion, growth, and development of that service, has excited so little debate in the House that it is a matter of comment. But I shall not take up the time of the committee in discussing what has already been passed upon by the House and is now incorporated in the bill.

A great deal of new legislation is contained in the bill; more new legislation, in fact, than has ever been brought into the House in any former Post Office appropriation bill during the 10 years of my service on this great committee. This legislation, in the opinion of the members of the Post Office Committee, is both wise and necessary, and will result in the improvement of the postal service. We believe that it will result in giving to the American people better and more efficient mail facilities. We believe that the legislation proposed here is demanded by the spirit of the times, and that it is a step in the

march of progress. We believe further that the American people should have what is due them and what we propose to give them—the very best in the way of postal facilities that can be given, conditions considered. No one therefore can accuse the Post Office Committee of the House of Representatives of being retrogressive. We are progressive, keeping up with the spirit of the times and doing, or trying to do, for the American people, so far as postal legislation is concerned, that which we should do in keeping abreast with progress. In the bill are 11 sections proposed by the Post Office Committee, which have been made in order by a rule adopted by the House. In addition to that, other matters have been made in order.

I shall not have time to discuss each and every one of these propositions in detail. In a great bill like this it is, practically speaking, impossible for one man to take up and discuss in detail all of the new and involved legislation proposed. So what I shall say in reference to what the Post Office Committee has proposed in the 11 sections I have mentioned will be brief. It will not be more than a cursory mention, so to speak, as to the majority of them.

In the first section we propose that after the 1st of July, 1917, all railway post-office cars shall be constructed of steel, with underframe of steel, or of equally indestructible material. After July 1, 1912, not less than 20 per cent of this class of cars shall be placed in operation annually, and thereafter no contracts shall be entered into by the Post Office Department for the construction of wooden cars. This is necessary, for heretofore, as a rule, railway post-office cars have been constructed of wood, and as they were often placed next to the tender, with the great passenger coaches behind them, the inevitable result in case of accident was that the railway postal clerks were the ones who generally suffered the worst injuries.

In section 2 of the new legislation it is provided that any contractor furnishing supplies to the Post Office Department or to the postal service who shall enter into or propose to enter into any combination relative to any bid for furnishing supplies, or who shall fix the price, or who shall give or propose to give any consideration or inducement to any other person to bid at a specified price shall be guilty of a crime. And why should he not be held guilty of a crime? Why should not that be written into the law? Why should not the Government of the United States be protected from the dishonest practices of persons who enter into combination for the purpose of fleecing the Government?

Section 3 of the new legislation simply protects the postal service by requiring mail clerks employed on vessels in the naval service to give such bond as may be deemed necessary to protect the Government from loss should some clerk prove to be dishonest. No one will dispute the wisdom of this proposed legislation.

Section 4 of the new legislation proposed by the Post Office Committee is intended to correct what often amounts to an injustice after the mails have been weighed. For the purpose of weighing the mails the United States is divided into four divisions. In each of these divisions the mail is weighed once in four years, and it sometimes happens that mail for Cuba or the West Indies, for instance, which was carried over the Atlantic Coast Line Railroad at the time of the weighing, has, for some reason satisfactory to the Post Office Department, been transferred or diverted to the Southern Railway. Under the present law no readjustment of the weight of this mail and the compensation paid for carrying the mail which has been diverted can be had until the next weighing period, and that may be any period of time short of four years. Should not this be corrected by amending the law?

Section 5 provides that clerks and carriers in first and second class post offices shall have their day's work limited so that the 8 hours of service shall be performed in a period of 10 consecutive hours. That provision needs no comment.

Section 6 simply gives to each person in the classified service of the United States employed in the postal service the right of free speech and the right to appeal to Congress, or to communicate with his Representative in Congress, relative to any grievance between him and the Government in the discharge of his duties as a public servant, or other matter affecting him. This section is intended to repeal the notorious gag rule or order first issued some years ago by Theodore Roosevelt when he was President of the United States.

Section 7 provides for classifying the railway postal clerks. I will stop here long enough to say that they are about the only class of postal employees in the classified service who are not classified according to some rule or regulation that has regularity for its basis. Heretofore the classification of railway postal clerks in nearly all essential particulars was a matter of departmental order and regulation, under what is

generally known as the scheme of organization in the Second Assistant Postmaster General's office.

Under this procedure it sometimes happened that great injustice was done to railway postal clerks, and it is proposed to correct this.

Section 9 gives to the rural letter carriers \$74 a year increase of pay on a standard route of 24 miles. This section was framed by me on the basis that pay for the rural delivery service be on a mileage basis. This has been the contention of the carriers for years and years. It is a fact that under the present law, which gives the Post Office Department discretion to a very large extent in fixing the rural carriers' pay at a sum not exceeding \$1,000 per annum, on standard routes of 24 miles, the rate of pay fixed by Executive order in the case of about 6 per cent of the carriers on certain routes less than 24 miles long, is slightly more than it would be under the proposed amendment of existing law. I take it, however, that an amendment will be offered to correct this defect in this proposed amendment, increasing the rural carriers' pay.

Personally I will say that at present I think the salary of the rural carriers should be fixed at \$1,100 a year, at least on the standard routes, and especially in view of the fact that we propose to impose upon the rural carrier the additional labor of carrying parcels on their routes. I also think that a majority fraction of a mile should be counted.

Mr. TRIBBLE. Mr. Chairman, will the gentleman yield?

Mr. FINLEY. Certainly.

Mr. TRIBBLE. Does the gentleman not think that the salary ought to be increased to as much as that received by the city letter carrier?

Mr. FINLEY. I will say to my friend from Georgia that \$1,100 would place them on that basis.

Mr. TRIBBLE. No; some of the city carriers get \$1,200.

Mr. FINLEY. If the gentleman will take the average pay of the city carrier, he will find that it does not exceed \$1,074.

Mr. TRIBBLE. We will have an amendment prepared at the proper time.

Mr. FINLEY. I stated that myself.

Mr. STERLING. Mr. Chairman, do I understand the gentleman to say that the carrier on the rural routes of less than 24 miles would not get as much as they get now?

Mr. FINLEY. I stated this, that under the present rule fixing the carrier's pay by executive order of the Postmaster General, about 6 per cent of the carriers on some of the routes under 24 miles in length will receive slightly less pay than they would under this proposed increase of pay. That is by reason of the fact that the basis under this executive order, we will say, is from 6 to 8 miles, or 8 to 10 miles, or 18 to 20 miles, and so on. On a basis of 18 to 20 miles my recollection is that under the present regulations of the department, carrying out the present law, the carrier would receive \$5 more pay than he would under the proposed increase provided for by the Post Office Committee in this bill.

Mr. STERLING. That is on routes 18 and 20 miles long?

Mr. FINLEY. That is my recollection.

Mr. STERLING. Seventy-four dollars additional, then, would not pay them for this decrease?

Mr. FINLEY. That is my recollection.

Mr. STERLING. That is not right, is it?

Mr. FINLEY. I take it that that will be corrected. When the parcel-post system on rural routes is inaugurated it will inevitably follow that the receipts, or the revenues, of the postal service will be largely increased. The Fourth Assistant Postmaster General estimates that the increase from this rural parcel-post service will amount to anywhere from twelve to sixteen millions of dollars a year. I can not agree to that proposition, to begin with. I do not think it will amount to that much for the first year or two. I firmly believe in a few years it will amount to more than that amount. I am satisfied in my own mind, however, from observation—and perhaps my opinion is not worth any more or as much as that of some one else—that the revenue from this source for the first year will amount to at least \$6,000,000, possibly \$7,000,000 or \$8,000,000, and will gradually increase. I am firmly of the opinion that for this added labor and work of carrying the parcels placed upon the rural carriers an increased compensation should be paid them. And why? It has been said that they have the equipment. I do not agree with the Fourth Assistant Postmaster General when he states that only 15 per cent would be required to change their equipment.

In my judgment, more than one-half of the rural carriers will be required to change their equipment, because when they commence to carry parcels the weight that they will carry daily will be much increased. As time goes on the number of parcels they carry each day will increase, and it follows necessarily and in-

evitably that they will do a great deal more work than at present. Many of them to-day ride motor cycles, and I believe there are a few that ride horseback. In my section the majority of them ride in H. M. T. buggies. Of course, no young Member of Congress knows what that means, but all of the older Members do. The carriers, therefore, would be required to increase and enlarge their equipment for purposes of carrying parcels on rural routes, and I take it that when the rural parcel-post system is in full operation hardly any carrier in all this country will be able to ride in a buggy. It will be necessary for him to have a wagon, as a great many of them have now, and as I believe all must eventually have.

Mr. LOBECK. To carry queen bees?

Mr. FINLEY. Mr. Chairman, so much has been stated about queen bees that I will take up that matter now. I will say to my friends that the law does not fix what can be carried or what may be carried in the mails any further than this: No dangerous material calculated to injure the mails may be carried, and all other matters relative to fixing what can be carried is a matter of executive order for the Post Office Department. It is said that to-day the number of articles that may be carried is restricted. I take it that when we have a parcel post on the rural routes, the rules regulating what may be carried as a parcel on the rural routes will not be the same as those fixing what may be carried in the mails generally throughout the United States, and I think this should be the case.

Many bills affecting the pay of the rural carriers have been introduced in Congress. I would not like to say how many, but there have been several hundred, perhaps, since I have been in Congress. Some of them are wise and well considered, and some are absolutely ridiculous in their form.

A bill will be introduced providing that on and after the 1st day of July—say 1910, or whatever the date may be—the pay of rural carriers shall be \$1,100 or \$1,200. These bills are introduced without taking into account the length of the routes, or whether the service is a six-day service or a three-day service, and so on. I want to say that this provision in the Post Office bill now to be considered is not contained in any other bill introduced in the House. It was offered in the Post Office Committee by way of amendment.

The rural carriers should be considered. They are a great body, 42,000 strong, able physically and mentally. They are honest, and of all the Government employees fewer of them are arrested for theft and dishonest practices than any other class or body of men in the Government service. [Applause.] I have intentionally passed over section 8 and will come to that later; section 8 relates to the parcel-post proposition reported by the committee.

Section 10 provides for experimental mail delivery at post offices of the second and third class that are not, under the law, at this time entitled to City Delivery Service. One hundred thousand dollars is appropriated for this experimental service. This experiment can only be extended to offices of the third class, i. e., where the salary of the postmaster is \$1,000 and less than \$2,000 a year, and to second-class offices where the receipts are at least \$8,000 a year and less than \$10,000.

Section 11 provides for the further organization of the postal savings-bank system, and I do not know that it is out of order for me to say I have never thought very much of this system; but it is the law of the land, and I believe in a legislator doing what is best in carrying out the law. [Applause.] This section gives to the Postmaster General, in part only, authority heretofore vested in three Cabinet officials. It has been found that it was often not easy to gather those three officials together to make and form rules and regulations, and so forth, which pertain particularly to the postal system and which the Postmaster General could make himself. I should judge that there would be no objection to this.

Section 12 amends the law so as to include persons in the Marine Corps among those eligible for appointment as naval mail clerks and assistants. Up to two or three years ago we had no regular mail service on the naval vessels of the United States. The Post Office Committee reported a proposition to the House, and Congress thought it wise to give postal facilities to the officers and men on United States naval vessels. It was found both expedient and economical that men engaged in the naval service, in one branch or another, should be employed as clerks discharging postal duties and functions. Now we go a step farther and provide that persons in the service mentioned may be made naval postal clerks.

I stated a moment ago that I would omit at that time a discussion of section 8 of the new legislation reported by the Post Office Committee. I think, as far as the public is concerned, of the 11 sections mentioned in the way of new legislation in the bill under consideration, section 8, in the eyes of millions of

American people, is the most important of all these sections. For many years the people of the United States have been concerned, and to a greater or less extent have been demanding a parcel-post system. I remember when it was hardly mentioned.

The advocates of the parcel-post system may be divided into four classes: First, those who would limit its operation to rural-delivery routes. These, in my opinion, are in the minority, because whatever benefits that are to accrue to the public at large would be limited, should the parcel-post system stop at this point. Second, those who would have the general parcel-post system with a flat rate of 8 cents per pound. I think they are wrong. Third, those who would have a general parcel-post system under the zone principle, taking into consideration length of transportation, the number of miles, and weight of parcels so carried, the cost of receiving that parcel, of separating it, of transporting it, and delivering it. And why not, if we are to carry out the rule followed by railroad companies and express companies, which recognizes that it cost less to carry a package of merchandise through 2 miles than it does 2,000 miles. [Applause.] To the man who argues to the contrary on that proposition, I want to say that I have not time to discuss the question with him. [Laughter and applause.] This is what the railroad companies do, and it is what the express companies do. If I have time I want to come to the express companies, and if I do not I will state right now that I am not in favor of buying out the express companies. [Applause.]

I am not in favor of paying good money, and millions and millions of it, for what we do not need in our business. This country is going into the parcel-post business, but let us be sensible about it.

Fourth. Those who would take over and condemn the express companies under the provisions of the bill which is now in order as an amendment to the Post Office appropriation bill. This bill is commonly called the Lewis or Goeke bill.

The Lewis bill, which will be in order as an amendment when the Goeke bill is considered (the two bills are substantially the same), provides for buying out the express companies by the Government—business, property, contracts, and franchises—and this purpose is fairly represented by the title of the bill, which is as follows:

A bill (H. R. 11371) providing for the condemnation and purchase of the franchises, and so forth, of the express companies of the United States, and the establishment of postal express.

To begin with, nine-tenths of the property of the express companies would be useless to the Government in conducting a parcel-post system, and I am of the opinion that we would not necessarily want the contracts existing between the railroads and the express companies. In addition to this, I would like to inquire why the Government should pay anything for the franchises and operating rights of an express company or any other company to do business in this country. I apprehend that when the condemnation proceedings contemplated by the bill was had that it would be seriously contended by the express companies that their corporate rights or franchises and contracts were the most valuable part of their business. I believe that this proposition has had no proper consideration anywhere. I want the American people to know what is proposed to be done under this bill, and I want to warn the friends of the parcel-post system who wish to give to the American people what they demand that this bill will not do it, and to tack it on as an amendment to the Post Office appropriation bill is to thwart and deny the demand of the American people for a parcel post. [Applause.]

Mr. MURDOCK. Will the gentleman yield?

Mr. FINLEY. Oh, yes.

Mr. MURDOCK. Just for a question. The gentleman has classified the advocates of the parcel post into four different sets.

Mr. FINLEY. If the gentleman will excuse me, I will come to the fifth class—those who are opposed to anything.

Mr. MURDOCK. I understood from the gentleman the first class are those who advocate a rural parcel post, the second class those who advocate a flat rate for the whole country, and the third class—

Mr. FINLEY. Are those who advocate the zone system.

Mr. MURDOCK. Are those advocating the zone system, and the fourth class are those who are for a parcel-post express.

Now, my question is this: Under which class does he place the provisions in the bill, namely, 11 pounds at 12 cents?

Mr. FINLEY. I do not place that provision under any of them. I want to repeat to the committee here what the gentleman from Kansas [Mr. MURDOCK] knows. It was understood in the Committee on the Post Office and Post Roads, and it is the opinion of the membership of that committee, that what we did in the way of increasing the limit of weight of pack-

ages that may go through the mail, from 4 pounds to 11 pounds, and reducing the charge from 16 cents to 12 cents a pound, was never intended to be an answer or any part of an answer to the demand of the American people for a parcel-post system. I will say further to the gentleman that which he also knows, and which every Member of this House knows, that that provision was placed in the Post Office appropriation bill by the Committee on the Post Office and Post Roads in answer to the charge that the United States, being a member of the International Postal Union, permitted, under the provisions of the convention composing those 25 countries, parcels to come from Germany or France or England weighing 11 pounds, at 12 cents a pound, and under the law as it has been for some years past and as it is now, limited our own people to 4 pounds and made the rate 16 cents a pound. We wished to put an end to that criticism. No; it is not a parcel-post system at all.

Mr. SAMUEL W. SMITH. I am sure you have given this matter a great deal of consideration. I would like to know what your solution of the parcel-post problem is?

Mr. FINLEY. I am coming to that.

Now, Mr. Chairman, let us get down to the milk in the coconut. Those people who stand for a flat rate, whether the distance is 2 miles or 2,000 miles, I submit, expect that the parcels they will have to send through the mail will be carried more than 2 miles.

I wish I had time to pay full compliment to the German people, the very greatest in many respects in all the world. They have a parcel post, and in it they recognize the zone principle. They recognize that, and they also monopolize the carriage of parcels up to 110 pounds. In no country in all the world, that has a full-fledged successful parcel-post system in operation, is there anything corresponding to the express companies' system in this country.

What the Post Office Committee has done is this: We provide for a commission to investigate this matter, and I would like to have pictures—and I believe I could sell them—of every man who is a Member of this House who will get up and state that he has made sufficient study of this question to be able to write, straight off the bat, a bill that would give to the American people what they should have in the way of a parcels post. Who can do it? Many such bills have been introduced here, the majority of them by Members who have made no study of the proposition. Threats have been made, but these threats I have promptly answered by saying that they would not influence me in doing my duty, as I conceive it, in respect to this or any other bill. Bills have been introduced in the House which bear the earmarks of the department stores of the country.

Mr. Chairman, the Post Office Committee of the House of Representatives have gone to work honestly and sincerely. They mean to do something, and when you go to consider and frame a parcel-post law, the very first question that will confront anybody who has that job on his hands is the question of transportation.

Now, as to what would be the proper rate, I do not know. There is no man in the American Congress who can answer that question accurately, and to the satisfaction of any 500 men in this country, without fear of reasonable contradiction.

We have provided this commission; the commission can not live long. There are to be six men on it, three to be appointed by the Speaker of this House and three by the Vice President of the United States. The amount of the appropriation is comparatively small. I had something to do with that, and my position is this: That if you make an appropriation for a commission very large, that commission will do business until the money is exhausted. They act on the principle that some people believe that the vilest sinner if he returns it is just before the light goes out. [Laughter.] So only \$25,000 is provided to enable this commission to obtain the proper information. That commission should do its work in six months at least; maybe in less time.

Now, I ask the House, Are you going to work here and write a parcel-post law? Are you going to work and buy out the express companies in this country, without knowing what you are doing? I am against the express companies; I think that of all the public servants in this country, if there be one class more than another that deserves condemnation, it is the express companies. I am against them, and I wish to end the present conditions as soon as possible. [Applause.]

Now, my friends, I have stated the position of the committee. Let us consider a few facts. I have not had time, and no one else has had time, to pass upon and intelligently decide all of these questions. You must remember that the Democratic majority of the present Post Office Committee has been in power only since the 4th day of March, 1911. You know that at the

extraordinary session we considered and were permitted to consider only tariff legislation. No general legislation was considered then, so that practically this is the first session of this Congress. A Democratic House? Yes. One that means to do business? Yes; one that means to serve the people the very best we know how. We are trying to do it. This is the first opportunity we have had to do anything, and we have made a beginning. [Applause on the Democratic side.]

Now, my friends, I want to say this: When a commission gets ready to consider this great question they must take into consideration the question of transportation, and they will find that in a majority of countries of the world, especially in European countries and in Australia, where they have a complete parcel-post system, the Governments own, to a very large extent, the railroads. In this country the Government owns no railroads except a little bobtail connection between the Atlantic and Pacific Oceans down on the Isthmus of Panama. Even there it has been charged they permit some one—I have forgotten who—to hold one share of stock and, I am told, in the past to decide as to what shall be charged, and so forth. We do not own a railroad in the United States. Now, I believe and have long thought that possibly, and perhaps probably, great reforms and great economies can be effected in the postal service by the Government owning its own mail cars. I have long believed that. You can build to-day mail cars at a cost of anywhere from \$6,000 or \$8,000 to \$16,000 apiece, and we have now more than 1,000 full railway post-office, privately owned cars used in carrying the mail.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from South Carolina yield to the gentleman from Iowa?

Mr. FINLEY. Just in one moment. When the parcel post is in operation in this country probably that number may be increased to 3,000 or 4,000. Now, I will yield to the gentleman.

Mr. HAUGEN. Can the gentleman give any reason why the Government can furnish cars to the railroad companies and the express companies get lower rates from the railroad companies without owning the cars?

Mr. FINLEY. I will come to that in a moment. When the Government owns these cars, costing from \$8,000 to \$16,000 a car, and in many cases less than that, the charges can be reduced. I have gone to work to get some figures on that subject. When a railroad hauls a privately owned car the rates range from 12 cents a mile to 6 cents a mile. They charge from 12 cents a mile for the heaviest cars down to 6 cents a mile, and then charge a rate for passengers, fixing the number of passengers that shall be carried or the amount of money that shall be paid, and, in the case of freight, the amount of freight charges is additional. But they haul these cars at that rate whether they are filled with freight or are empty.

Now, if you take cases, where, for instance, the meat companies ship their meats over the railroads in their own refrigerator cars, the railroad companies charge the shipper or the consignee the freight on what is contained in the car, and then allow the owner of the car 1 cent a mile as pay for his car. Now, why can not the Government do as well as that? If it can do as well as that—

Mr. HAUGEN. I will answer the gentleman. My contention is that the railroad company should furnish cars free of charge to the Government, the same as it does to the express companies. I will ask the gentleman this question: Does he believe in comparing the rate paid by the Government, to the rate paid by the express companies to the railroads?

Mr. FINLEY. No. I believe the railroad companies and the express companies have an understanding by which I believe they get the best of the public.

Mr. HAUGEN. Does the gentleman contend that the rate paid by the express companies to the railroad is too low?

Mr. FINLEY. No. My contention is that the rate paid by the public to the express company is too high.

Mr. HAUGEN. What rate?

Mr. FINLEY. The rate paid by the public. I want to say to the gentleman that I have not fully investigated the question as to whether 45 or 50 per cent is a proper division of express charges between the express companies and the railroad companies.

Mr. HAUGEN. If the gentleman will examine the report of the Interstate Commerce Commission he will find that the rate paid by the express companies is but 75 cents a hundred, while this Government pays more than \$4 a hundred for carrying mail matter.

Mr. FINLEY. I have examined that report, and I will come to that. Now, take the rate from Washington, D. C., to Charlotte, N. C. The distance is 381 miles, and that is supposed to be about the average distance that express is hauled. I do not

give the exact figures. The authorities differ. Some say one mileage and other authorities say another mileage; but that is approximate. Now, at 10 cents per mile for the car it would be \$38.10. That would be the cost of hauling a mail car from Washington to Charlotte. At 8 cents it would be \$30.48 for the car. On carload lots it is said that about 5,000 pounds is the quantity of mail hauled in a car. I take it that in hauling parcels through the mails the weight would be largely increased; but at 5,000 pounds from Washington to Charlotte it would be \$48.50; 10,000 pounds would be \$97; 15,000 pounds would be \$145.50; 20,000 pounds would be \$194; and 24,000 pounds would be \$232.80. That is for first-class freight in carload lots. It does not mean grain or bacon or hay or anything of that sort, but it means first-class freight, and it means a class of freight that would compare with parcels carried through the mails.

Those are the figures that are charged by the railroad companies at present. All of these matters will have to be considered by the American Congress under conditions existing in this country; the Government owning no railroads, the Government having to provide for transportation, and to do it in a sensible, intelligent way, fair alike to the public and to the Government. The man who would have the United States Government carry parcels through the mails at a cost to the taxpayers of this country is dishonest. A parcel of merchandise going through the mails is merchandise, the same as if it were shipped by freight in the ordinary way over a railroad.

Now, let us look for a moment into what is done in a number of the principal countries of the world that have a domestic parcel-post system in operation. Great Britain has the following weight and flat rate of charges:

For the first pound, 6 cents, and up to 11 pounds, 22 cents.

Great Britain is a comparatively small country, having an area of 121,371 square miles, a population of 41,961,000, with 23,205 miles of railroad. The railroads are owned by private individuals or corporations. In Great Britain the Government has an arrangement with the railroads for carrying parcels very similar to that held by the express companies in the United States; that is, the Government pays to the railroads, as I recollect, something like from 45 to 50 per cent of the rates charged for transporting a parcel. The average haul in Great Britain would not be half as long as the average haul in the United States. However, it may be stated that after a parcel has been received at the post office and transferred to a mail car the cost for carrying the same for the first hundred miles or less would be a great deal more than to carry the package the second hundred or even 200 miles more.

Australia is a very large country in area, with a small population—only 3,772,000. The Government owns 14,189 miles of railroads. Private-owned railroads only amount to 1,068 miles. Australia has a domestic parcel-post system of 12 cents for the first pound, and 6 cents for each additional pound. These rates are entirely too high for a proper system in the United States, for the reason that the population per square mile in Australia is only 1.27 persons, and in the United States the population per square mile is 26.56 persons.

Belgium is an exceedingly small country of only 11,373 square miles, with a population of about 6,700,000, the population per square mile being 588 persons. Belgium has a domestic parcel post. The rates charged are for a package 11 pounds and under, or, to be exact, 11.025 pounds and under; 6 cents for carrying parcels to the railroad stations when such services are performed. And for first class, 16 cents, and second class, 10 cents. This is a flat rate, and I believe about the lowest in the world. It must be borne in mind, however, that the density of population is 22 times greater in Belgium than it is in the United States. The table of rates for Belgium is as follows:

In addition to a charge of 6 cents per parcel for conveyance to the railway station, when such service is performed, parcels are charged at the following rates according as their transportation and delivery is effected under the conditions applicable to the first or the second-class service, viz:

Maximum weight in pounds.	First class.		Second class.
	Cents.	Cents.	
11.025.....	16	10	
22.050.....	20	12	
44.10.....	30	14	
66.15.....	40	16	
88.20.....	50	18	
110.25.....	60	20	
132.30.....	70	22	

The first-class service offers quicker transportation and better conditions of delivery, transportation being effected by the first passenger train available for that purpose.

France is an old and highly developed country in all of its resources, with an area of 207,054 square miles, a population of about 40,000,000, and about 195 persons to the square mile, with 25,047 miles of private-owned and 5,834 of Government-owned railroads, and has a flat-rate parcel-post system in operation, with weight and rates as follows: Up to a little less than 6½ pounds, or, to be exact, 6.615 pounds, 10 cents; exceeding this weight, but not exceeding 11.025 pounds, 14 cents; exceeding this weight, but not exceeding 22.05 pounds, 23 cents.

The German Empire has an area in square miles of 208,830, with a population of more than sixty millions, with a density of population per square mile of approximately 300 persons. Germany has 1,318 private owned and 32,885 Government-owned miles of railroads. Practically speaking, the German Government owns all of the railroads. Germany has a parcel-post system, operated under the zone, or distance, basis. Parcels in the German Empire are carried as follows:

1. Up to 11.025 pounds:
 - (a) Not exceeding 10 geographic miles, 6.25 cents.
 - (b) Longer distances, 12.50 cents.
2. Exceeding 11.025 pounds:
 - (a) First 11.025 pounds, the same rates as under "1."
 - (b) Per additional 2.205 pounds or fractional part thereof—
 - First zone (up to 10 geographic miles), 1.25 cents.
 - Second zone (up to 20 geographic miles), 2.50 cents.
 - Third zone (up to 50 geographic miles), 5 cents.
 - Fourth zone (up to 100 geographic miles), 7.50 cents.
 - Fifth zone (up to 150 geographic miles), 10 cents.
 - Sixth zone (above 150 geographic miles), 12.50 cents.

It appears conclusively from the rates I submit that in each of the countries mentioned, the rates or charges for carrying parcels differ from the rates in other countries. The reason for this must be plain to everyone who will carefully consider the question. What is a proper charge for carrying a parcel through the mails or by the government can not be the same in all countries, for the reason that conditions are different. Thus we see that in England, with a comparatively small area, large population, private-owned railroads, and comparatively short hauls, the Government charges 6 cents for the first pound, and up to 11 pounds only 22 cents.

In Australia, where practically all the railroads are owned by the Government, the country nearly as large in area as the United States, with a population per mile very small, the rate is 12 cents for the first pound and 6 cents for each additional pound. In Belgium, with an exceedingly small area of territory, the greatest density of population, the railroads principally owned and operated by the Government, the rates for carrying parcels through the mails are very low as compared with other countries.

In Austria, with an area of square miles a little less than that of France, and a population about five millions greater, and the same density of population, with the Government owning or operating four-fifths of the miles of railroads in the country, the rate of charges for carrying parcels or packages through the mails for any distance above 20 miles is practically prohibitive. The table of Austrian rates is as follows:

1. Up to 11.025 pounds:
 - (a) Within the zone of 10 geographic miles, 6 cents;
 - (b) Beyond that zone of 10 geographic miles, 12 cents.
2. Above 11.025 pounds:
 - (a) For the first 11.025 pounds the same rates as under "1;"
 - (b) Per additional pound or fraction of a pound:
 - First zone (up to 10 geographic miles), 5½ cents.
 - Second zone (up to 20 geographic miles), 10½ cents.
 - Third zone (up to 50 geographic miles), 20½ cents.
 - Fourth zone (up to 100 geographic miles), 31½ cents.
 - Fifth zone (up to 150 geographic miles), 41½ cents.
 - Sixth zone (above 150 geographic miles), 52 cents.

France has a flat rate parcel-post system in operation up to 6.615 pounds, 10 cents; exceeding this weight, but not exceeding 11 pounds and a small fraction, or to be exact, 11.025 pounds, 14 cents; exceeding 11 pounds but not exceeding 22.05 pounds, 23 cents.

We can see at a glance the difference between France and Austria, Germany and Belgium, England and Australia. And it is worth while to consider the variation in rates in Germany, France, and Austria, countries having the same area, France and Austria the same density of population, with Germany a population about 50 per cent greater per square mile than France and Austria; the rate in Germany, with Government-owned railroads, very liberal; that of France, with private-owned railroads, entirely liberal; and the rate in Austria, with Government-owned and operated railroads, practically prohibitive.

The following statement shows the rate of cost to the United States for railroad transportation of the mails per pound under the existing law for the fiscal year of 1908, based on a special weighing of the mails by the Post Office Department, compared with the amount paid railroads for transporting the mails for that fiscal year.

Cost per pound for transporting first-class mail matter by railroad transportation, 7.062 cents; mail and equipment combined, 1.9666 cents per pound; second-class mail matter, including mail for Canada, 2.9712 cents per pound; total cost of second-class mail matter, equipment, and empty equipment, 2.6477 cents per pound; third-class mail matter, 4.6758 cents per pound; total cost of transporting third-class mail matter, together with equipment and empty equipment, 2.251 cents per pound; fourth-class mail matter, 3.3967 cents per pound; total cost of transporting third-class mail matter, with equipment and empty equipment, 3.0266 cents per pound. Total average cost per pound for the transportation of all classes of mail matter by railroad, not including equipment, 3.7919; total average cost of transporting all classes of mail matter by railroad, including equipment and empty equipment, 2.4699 cents per pound.

I would like to know how many of the authors of parcels post and postal express bills have taken in consideration this question.

Now, my friends, I would like, on a great question like this, to be able to answer every Member fully. I would like to be able to submit to all interruptions, but that is impossible in the limited time I have.

I want to say this in closing: We have by law, passed within the last few years by Congress, clothed the Interstate Commerce Commission with the power to regulate express charges. How much progress has been made along that line? I do not propose to indict the whole American people.

I am here to serve them, and when they demand a parcel-post system I am sure that they expect me to answer their demand in an honest, intelligent, and practicable way. The people I represent do not expect that I will vote for a bill that will give to any person advantages and benefits in the way of flat charges for transportation on what they have to sell, at the expense of the American taxpayers; and when a bill is proposed—and a number of bills have been proposed—that fixes the same rate for sending merchandise through the mails 3,000 miles as for 3 miles, no one can argue to me that the bill is a proper one or that such a measure will give relief to the American people from the unjust and exorbitant charges of the express companies in this country. If the charge fixed in such a bill is the correct charge for carrying merchandise 3,000 miles and will equal the expense to the Government for performing this service, it follows that this charge would be unreasonable and a prohibitive charge for carrying the same package 30 miles, 100 miles, or 500 miles; and the proposition simply means to give to a few people special privileges and advantages at the expense of the taxpayers of the country. Let us be frank in discussing this question. As has been stated, the Interstate Commerce Commission is clothed with the power to regulate the rate charged by the express companies. How much effort has been made along this line to secure relief by any community, association, or individual? I regret to say, very little. The reason for this is evident. No one person can afford to go to the trouble and expense of hiring lawyers and having extensive hearings before the Interstate Commerce Commission in order to secure lower rates from the express companies.

It is, however, to the credit of the Interstate Commerce Commission that they are taking up this question of their own motion and are making investigations. They are doing what they should do, and when Congress passes the provision in the bill under consideration providing that a committee of Congress shall investigate this question and report by December next, all the necessary information to guide Congress in framing a proper parcel-post system for the United States, we will have the benefit of the information in the hands of the Interstate Commerce Commission. I believe that the Post Office Committee have done the very best they could do under the circumstances. I believe that they have done faithful work, that they have brought to the House the very best legislation they could bring at this time. The Members of this House have certainly made no more study of this question than the committee has, and I do not think it would be at the expense of modesty to say that a great majority of the Members of the House have not made as much study as the committee. Whether any of them has done so I will not attempt to say. Now, let us do the right thing, and let us do it in the right way. We can not settle this great question in a minute. It may be argued that Congress has had years in which to study this question. That Congress has not heretofore taken hold of the parcel-post question in a way promising legislation is undeniably true, but I call the attention of the House and of the country to the fact that for 16 years prior to this Congress the Democrats have been in a minority in the House and have had no opportunity to do anything. The Republican Party was in

power and was responsible for legislation. Now that the Democrats have control of the House and are responsible for such legislation as passes the House, and this question is up for consideration, the American people do not demand of the membership of the House hasty, ill-considered, ill-advised, and wasteful legislation. We do not need to buy out the express companies. We do not need to obey the orders of the department stores in the cities and pass a bill that will give to them and all others who are interested in long-distance shipments the same rate for carrying a parcel 5 miles as is charged for carrying a parcel 500 or 3,000 miles.

I represent every class and condition of people in my district, and I am unwilling to vote for a bill that will give to one class—and that a small class—advantages at the expense and to the injury of all others. When we have a parcel-post system in this country, it will be on the basis of carrying merchandise through the mails as freight. The service performed by the Government will be paid for, at least, to the extent of the cost of such service to the Government. The weight of the parcel carried and the distance the same is carried will regulate the rate of charges fixed by law for the performance of this service. If a person wishes to go from Washington to Alexandria, Va., a distance of 8 miles on the railroad, he can go for 25 cents or less. On the other hand, if he wishes to go from Washington to San Francisco, the charges are anywhere from \$60 to \$75. So that, I repeat, a parcel-post system in this country in the matter of rates or charges should be based on distance and cost of service performed by the Government. In addition to what I have said, I may add that the Government does not need to buy out the express companies. This has not been done in any country where there is a full-fledged parcel-post system in operation, and it has been stated in no such country is there any express-company service corresponding with the express-company service in the United States.

One other matter that must be considered in framing a parcel-post bill: Once the system is in operation the service will be performed by the persons in the postal service of the Government. The salaries paid by the Government to its postal employees are a great deal higher than the salaries paid by the express companies. All of these questions are matters to be considered, and no one will be injured by waiting until the 1st of December, when Congress can secure and have before it the necessary information to guide Congress in framing whatever parcel-post legislation that is to be passed. Now, there are other propositions not contained in the Post Office appropriation bill as the same was reported to the House that will be in order by way of amendment later on. I regret, however, that I have not time to discuss these questions now. When the bill is taken up under the five-minute rule I hope to have something further to say on the various questions involved in the Post Office appropriation bill.

Mr. Chairman, I thank the committee for the kind and considerate attention they have given me. I have studied this question, and I believe that the Post Office Committee have done faithful and efficient work. We submit the product of our labors to you, in the confidence that you will do for the American people what is right in the premises. [Applause.]

Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from Missouri [Mr. LLOYD].

Mr. LLOYD. Mr. Chairman, the Post Office appropriation bill carries the largest aggregate of proposed expenditure which is presented to Congress in any one bill. The estimates of the Secretary of the Treasury, presented to Congress at the beginning of this session, show as necessary to meet the legitimate expenses of the Government for the fiscal year beginning July 1, 1912, the sum of \$745,834,563.55, and for the expense of the postal service \$261,180,063, which is about one-fourth of the total estimate for the expenses of every branch of the public service, including the sinking fund, which is provided for the purpose of paying the interest on the public debt.

The estimates for the postal service were carefully made, and the Post Office Committee, after inquiry as to the needs of the service, have recommended in the pending bill \$259,827,749, a decrease in amount from the final estimates of the department of \$1,352,314. The average annual increase in postal expenditure for the last 15 years has been over \$11,000,000. The appropriation made in 1911 was \$243,907,020; the appropriation for 1912—that is, for the current year—is \$258,352,713, an increase of \$14,445,693. If there had been the same increase in the current bill, it would have carried about \$272,798,406, or \$14,445,693 more than is proposed in this bill.

I mention this to call the attention of the committee to the fact that this bill is in line with the policy of Democratic re-

trenchment, and that there will be a saving not equaled in the Post Office Department since the last Democratic House and in an amount exceeding \$10,000,000.

A few recommendations have been made which increase the estimates originally submitted. Some of these are amounts of increase made necessary on account of the change in the system of promotion of railway mail clerks by automatic scale; and the sum of \$3,000,000 to rural carriers because of the proposed increase in their salaries on account of the extra labor which it will be necessary for them to perform by reason of the experimental parcel-post system, which is provided for in this bill; and \$400,000 which is necessary to meet the expenses of the postal savings bank system, which thus far has been a source of great loss to the Government instead of producing revenue.

This bill makes a reduction from the estimates submitted in numerous other items, because in the judgment of the committee efficient service can be rendered by the department without so much of expenditure.

The service first appropriated for in this bill is the inspection service. There are at present 390 inspectors authorized, who receive \$704,450 for their services. This bill does not change their estimates, and the appropriation proposed carries the same amount as their estimates.

This bill makes a proviso that not more than 30 of the inspectors may be placed under the supervision of the Fourth Assistant Postmaster General for the purpose of inspecting existing and proposed rural routes. At the present time the inspection force is mainly employed in fraud-order cases, inquiry into the affairs of newspapers, periodicals, and magazines to ascertain whether these publications meet the requirements of the Post Office Department with reference to admission to the second-class rate, and other matters which, in the opinion of the Postmaster General, are more important than the investigation of the rural service.

It is the opinion of the Post Office Committee, based upon the hearings on the pending bill, that rural-route investigations have been neglected for what the department seems to consider more important matters. The purpose of this proviso is to direct the department to inspect pending applications for rural service and to give to this branch of the Post Office Department the attention its importance demands. For several years large appropriations for the extension of the rural service have been made. Last year, in order to show a surplus in postal affairs, or because of the indifference of the Postmaster General, or because of the opinion that other investigations were more important than the extension of the rural service, several hundred proposed rural routes were never investigated. One million eight hundred and eight thousand seven hundred and seventy dollars and thirty cents of that which was appropriated was not expended. If the Postmaster General had carried out the provisions of the law and extended the rural service, as was expected by Congress, this money would have been expended. The failure of the department to use the appropriation provided prevented the extension of rural service and allowed petitions to lie without consideration where rural service should properly have been established.

There is complaint about the inspection service. Some of it may be well founded, while much of it is not. The inspectors wield a wonderful power. A corrupt inspector can do much to injure. The methods of many inspectors are questionable. The license given them to open and withhold mail, to pursue detective methods, may in the hands of unscrupulous men prove a curse to the proper administration of the law. But from my knowledge of inspectors and their achievements my judgment is that these employees are on the whole a superior class of men and can be relied upon to do the right thing as they see it. If I am not misled, much of that which is condemned in the inspector results from the command of his superior officers. They are charged in some instances with pernicious political activity, with oppression in office, and, in some cases, are doubtless guilty. But as a rule the inspector is discreet in his political affiliations and humanitarian in his official relations.

In post offices of the second and third class there have been complaints from time to time that the assistant postmasters are not paid that which is due them. The law allows an assistant postmaster not more than one-half of the salary of the postmaster. The postmasters themselves construe this to mean that the salary of the assistant should be one-half the salary of the postmaster.

In the smaller offices, however, this full allowance is not made, and in many instances the clerks in the post offices receive greater compensation than the assistant postmasters in the same offices. For example, the postmaster at Unionville, Mo., receives \$2,000 per year. The assistant postmaster is en-

titled to \$1,000, or one-half of the salary of the postmaster, but he receives only \$900, while the clerks under him receive \$1,000 each.

The Post Office Department claims that this condition is due to the fact that Congress has not made sufficient appropriation to make full payment, and it has been necessary to scale the wages down. To avoid this complaint and injustice there has been added to the appropriation for assistant postmasters what is deemed to be a sufficient sum to make their salary one-half that of the postmaster's salary.

It is true that the estimated appropriation for this branch of the service is the same as that which is recommended by this committee, but it is believed that the number of assistants may not be so numerous as suggested in the estimates. The estimate of the Postmaster General shows it will require \$185,000 to meet this changed condition and recommends \$200,000 more than was appropriated for the current year. But a careful inquiry as to the expenditures heretofore made leads the committee to believe that the \$3,000,000 which is here appropriated will meet this increased compensation and permit the payment to every assistant postmaster of the full amount of his salary.

There has been each year, for a number of years, a contest about the pay of letter carriers in first and second class offices, as to whether, under the automatic advancement that is made from lower to higher offices the \$100 per year, where the employee has a good record of efficiency, should stop at the fifth grade in first-class offices and the fourth grade in second-class offices, or at a salary of \$1,100 in first-class offices and \$1,000 in second-class offices, or whether the automatic promotion should be carried to the sixth grade in first-class offices, with a salary of \$1,200, and to the fifth grade in second-class offices, with a salary of \$1,100. Some of those in the lower grades are not eligible to promotion to these higher grades on account of inefficiency, and some are promoted after the beginning of the year, so that full salary is not required. To meet this condition and to promote all those who may be properly promoted this bill provides for the promotion of 75 per cent of those in these several grades to the higher grades. Heretofore the bills have provided for the advancement of 50 per cent. This increase in promotions to 75 per cent of those in these grades, we think, will meet the demands of the clerks and satisfy this class of employees.

There are several sections of proposed new law in the pending bill, but I shall call attention to but a few of them. One of the most important of these, in my opinion, is the experimental mail delivery, provided for in section 10, for towns and villages having post offices of the second and third class, but which are not now entitled to Free Delivery Service. Under existing law a city with a population of 10,000 or with a post office whose aggregate receipts within 12 months amount to more than \$10,000 is entitled to free delivery, and, as you are aware, outside of the incorporated towns or cities rural delivery is provided in all parts of the United States, excepting in the thinly populated districts, but in those towns which do not measure up to the requirements of the law with reference to city delivery the individual must obtain his mail at the post office. On any principle of equity or fair-dealing among the citizens of the country it would seem that there could be no excuse for this favoritism. The citizens of a town of 5,000 inhabitants, or where the receipts are only \$8,000, should certainly be entitled to as much consideration at the hands of the Government as the person who is so fortunate as to meet the existing law by living outside of the corporation and thus obtain his mail through a rural delivery carrier.

It is difficult to explain why a man living one-half mile from the post office in a town of 3,000 inhabitants is not as much entitled to receive his mail at his door as the man who happens to live on a farm 10 miles from town.

The objection that is raised to the extension is that it will be too expensive. I remember well, in 1897, when \$150,000 was asked for experimental rural mail service. This was objected to on the ground that it was only a beginning of a great annual expenditure which would probably necessitate in the near future the annual expenditure of \$40,000,000. The experiment was made, however, and the prophecy has been fulfilled.

This bill carries for rural mail transportation \$43,375,000, but where is the taxpayer who is so little interested in the progress of his country as to wish this splendid service discontinued. In my opinion it is the most popular service that was ever established, and is more appreciated by the people of the United States than anything that comes to them at the hands of the Government.

The appropriation for experimental delivery of mail for second and third class offices carried in this bill is \$100,000.

I think it can be safely predicted that if the appropriation is made it will never be less hereafter, but in a few years the millions of people living in the smaller towns and cities will have their mail delivered to them as their more fortunate brethren in the large city and the rural districts do now. I believe this plan will be worked out, and I welcome the idea.

It was thought the appropriation of \$150,000 in 1897 would result, as the appropriations for the service increased, in a greater deficiency in the postal account, and yet the records show that the aggregate deficiency on account of the Post Office Department in the years 1897, 1898, and 1899 was \$3,500,000 more than in the years 1909, 1910, and 1911, after the service had been fully established and the extraordinary expense incurred on account of installing it. It may happen that when the \$15,000,000 or \$20,000,000 which will be needed annually to perfect the delivery service in second and third class offices shall have been expended there may be a paying service, and the deficiency which from year to year has been borne on account of it may ultimately be converted into a surplus.

There is more solicitation from the country at large, perhaps, over the parcel-post question than over any other subject that affects the postal department. There are strong influences at work on both sides of the general subject. One side insists upon a general parcel post, while the other protests against the slightest advance toward it. If a Member of Congress listens to the story of exorbitant charges by express companies, the present prohibitive postal rate and extortion by the retail merchant, and the convenience and profit that would come to the people by its establishment, and especially the blessing it would be to the people to be permitted to secure their goods from the great department stores at nominal transportation rates, he must conclude that by all means such a system should be established. Then, on the other hand, he hears the plaintive cry of the retail merchant and the story of the ruin which must come to his business; listens to his insistence on preventing a paternalistic idea to destroy his business and his plea of the necessity of protecting the home from the encroachment of outsiders; and when the Congressman is told in good faith that if parcel post is established it will cause the local merchant to cease his business and have the effect of ruining all the smaller towns and cities of the country, one wonders why such legislation should be considered and why one class of people should demand a system of transportation which would result in such serious injury to another class.

The pending measure, in my judgment, does not solve the problem of parcel post. It in no way settles the question. I believe in considering the question fairly and honestly in the interest of the whole people. I believe it is proper to state what the parcel-post people want, and I believe every Member of Congress, as well as the people generally, should understand that no bill pending to-day asking for a reduction of postal rates on fourth-class matter is, in fact, a general parcel-post bill, as contemplated by the people of the country.

Those demanding a parcel post are anxious to have a cheap means of transportation of small packages of merchandise and small packages of farm, dairy, and horticultural products, so that these may be transmitted through the mail at nominal cost, and none of the bills pending will produce that result.

As I understand it, from those who advocate most strenuously a parcel-post system, they desire that the fourth-class rate—which is the rate under which parcels are carried—shall be 5 cents for the first pound of weight, and that each additional pound up to 11 pounds shall pay 2 cents. In other words, that an 11-pound package shall be carried for 25 cents.

The Sulzer bill, which is now advocated by many, is only a step in that direction and is intended to be only such a step, and the men who advocate it should well understand that they will be asked, as soon as such a proposition becomes a law, to lower the rate to correspond to that which I have outlined, because no farmer can afford to pay 8 cents per pound for the delivery of products of his farm to his market, nor will he be satisfied to pay 8 cents per pound, as provided for in that bill, for any package he may receive from the department stores.

Another thing should be distinctly understood. The farmer who wishes the parcel post in order that he may obtain merchandise wishes to patronize the department store, and when he patronizes the department store his business is necessarily taken from the local merchant and the business of the local merchant is affected to that extent. If the farmer by reason of a nominal postal rate is enabled to make his purchases at a profit to himself from the department house he will deal with the department store, and if he trades with the department houses of the cities rather than with his local merchant the result will be that the local merchant must lose his profits on such business.

On the other hand, the farmer and laborer in the town or city claims he has a perfect right to trade where he can buy his goods cheapest, and argues he can buy goods cheaper from the great department store than from the retail merchant of the town in which he lives. He insists that the Government should provide a parcel-post system similar to that which is in use in other countries for the transportation of such goods as he may purchase at the department stores. He states that the retail merchant charges an exorbitant price; asserts that he has no desire to destroy his business or injure the small town, but, on the contrary, wishes to see his local community succeed; that he prides himself on the town he calls his own, but states that the local merchant to-day is required to pay the expense of the middle man from the profits which accrue to him, and this expense of the middle man to reach the retail merchant must be borne by the farmer. The farmer believes if he can obtain his goods in small quantities where he can buy them cheapest he can avoid the expense which is added to the cost of the goods he purchases from the retail merchant, namely, the profit to the middle man which must be included in the profit of the merchant. The farmer contends that if the local merchant will be satisfied with a reasonable profit, buy his goods directly from the factory, and sell them at the same price as the great department stores he will succeed and the farmer continue to trade with him. In other words, the farmer to-day contends that the retail merchant is not treating him fairly, and because of this the farmer should be placed by the Government in a position where he can protect himself.

These are the two contending ideas, and it is a serious proposition to determine what should be done to meet these conditions. There may be something of merit in the contention of either side; each has elements of truth in it; but one of the serious questions that presents itself is the spirit which is frequently manifested by the individual that a Member of Congress must become partisan for one side or the other of this contention.

As I stated a few moments ago, the pending bill does not settle this question. The proposed reduction of the rate from 16 cents to 12 cents and increase in the number of pounds that may be carried from 4 pounds to 11 will to some extent encourage the transit of parcels by mail; but, in my judgment, it will affect it but little, because even a 12-cent rate will be prohibitive to a great extent, especially as to packages that exceed 4 pounds in weight, and in most instances packages could be carried cheaper by express than by mail unless the distance should be great. It may have the effect of causing the express companies to slightly reduce their rates; and if so, it will be beneficial to the American people to that extent. The reason that especially controls in the proposed reduction of rate is that the rate is international, and there is not, nor can there be, any excuse for charging more for sending a parcel from one town to another in this country than for sending the same package to countries in Europe. The rate charged is the rate that would be paid if the package were sent to most any foreign country.

The second proposition in the bill is for an experimental parcel post. It seems to me this should be beneficial both to the farmer and the local merchant, and the surprising thing is that it is objected to by both the local merchant and the farmer. The farmer objects to it because he wants a general system, and this does not provide for it; the retail merchant objects to it because he feels it is a step toward a general parcel post, and if a rural parcel post is established there can be no plausible excuse for preventing its extension to the whole country. Hence the Post Office Committee, in order that the facts may be ascertained as to the benefit that may be derived and to determine whether it will be really beneficial or not, have provided for its establishment in an experimental way; so the system as proposed will go into effect on the 1st day of July; it will continue only two years unless the law is changed. The rate proposed is that desired by the advocates of a general parcel post to be applied to the whole country.

The third proposition of the bill provides for a commission of three Members of the House and three of the Senate to carefully investigate the subject of parcel post and report back to Congress their findings and recommendations, and is indorsed by many on both sides of the question.

Personally I am not much inclined to commissions. I believe that in the past commissions have not proven of much advantage, but the parcel-post question, being one about which there is so little practical information in the United States and it being so difficult to adapt foreign systems to our conditions and to work out an American system based on American conditions, it seems advisable to give the matter special study and to obtain as nearly as possible expert information on the subject, which can only be done through a commission; hence the committee has recommended that one be appointed.

It can be properly stated, I think, that a reduction of the general rate and increase in size of package is necessary to meet the international condition and will injure no one and be of some benefit to the people in general.

The proposed experimental parcel post should prove of mutual benefit to the farmer and the retail merchant of the respective towns and cities, in which case it may be decided that the system should be continued in the interest of the people generally. If the proposition for a commission be adopted, it is hoped that information may be gathered on the subject which will enable Congress to determine what should be done in the matter of the establishment of a general parcel post and what sort of system should be inaugurated and what method adopted to carry it out, if it be deemed wise to establish it.

It may be proper to state before leaving this question that the Post Office Department estimates that it costs on an average 12 cents per pound to handle fourth-class matter of parcel merchandise. If this be true, then the provision in this bill reducing the rate to 12 cents is as far as the Government can go without loss, as if the rate were reduced to a nominal sum there would then be an enormous loss if the Government estimate be correct. My impression is that the people want a system devised which will not entail loss to the Government. If the Government is to become a competitor of the express companies in the matter of carrying packages under 11 pounds, then it should not give its competitors the advantage of the short haul or profitable business and be compelled to carry the long-distance packages at great loss. Some system of charge with reference to distance should be devised so that within certain limitations of distance the rate shall be a given sum, while for greater distances it shall be a greater sum. There is no reason from a commercial standpoint why the Government should receive the same amount for carrying a package from one town to another, a distance, say, of 5 miles, as for carrying the same package from one side of the continent to the other, and one of the things to be worked out by the commission, should it be appointed, is a system of rates which would be properly applicable everywhere.

In other words, it would be expected that such commission should carefully consider this zone-rate charge and recommend whether it would be wise to continue the present system of uniform charge or whether there should be different charges for different distances. It would be necessary for the commission to investigate express rates and determine what, if anything, should be done in the matter of legislation as to express companies. There is a rapidly growing disposition to take over express companies and have the railroad companies do the heavy part of that which is now done by the express companies, the smaller packages to be handled by the Government through the Postal Department. This is a great question and is worthy of the most careful consideration. There are many who believe that the express companies are parasites on the transportation system; that, in fact, express companies have no legitimate place amongst business enterprises. The work of express companies is so nearly identified with the work of carrying parcels by the Government that there should be complete knowledge with reference to these companies, their charges, and their right to exist. Bills are pending at present before committees which, if enacted into law, will either confiscate express companies, purchase their business, or compel them to cease their operations at a specified time.

Much favorable comment has been given to the various phases of this proposed legislation, and there are many who are in favor of in some way forcing the express companies out of existence.

Another question which the commission would be expected to ascertain is the cost of carriage of fourth-class mail and what the effect would be if a nominal rate were fixed. There are numerous questions which the commission might properly investigate. The truth is that we have but little accurate and definite information on this important subject. There is a disposition on the part of the advocates of a parcel-post system to compare our system with that of the smaller countries of Europe. Our system is in many respects different from any of those systems. There is a different relation in this country between the Government and the corporations, a different ownership in some instances, and it is necessary to consider all these things in the determination of what should be the American system. This is a country of long distances. In most of the European countries packages are carried only short distances. Everything in the United States is carried on a costly basis; in the countries of Europe on an economical basis; and to work out a system of our own that will meet the conditions in this country is not an easy task. The proposed commission could do much to enlighten the public on these important questions.

Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from Oregon [Mr. LAFFERTY].

Mr. LAFFERTY. Mr. Chairman, 42 years ago there was born in an obscure mining town in Pennsylvania one of the present Members of this House. He had but poor opportunities for education, and at the age of 9 years he commenced work in the coal mines. He became a member of the coal miners' union. He attended Sunday school and there learned to read. He studied law while still a laborer in the mines. At the age of 23 he was admitted to the bar and has since practiced his profession, taking an active interest in the public welfare. At the last election he was elected a Member of this body. I refer to the original draftsman of the parcel-express bill, the gentleman from Maryland, DAVID JOHN LEWIS.

For years a considerable portion of the people of this country, if not, indeed, a great majority, have been demanding a parcel post as a means of meeting and securing relief from the exorbitant rates of the express companies. Objections of various kinds were raised. It was argued that a parcel post would injure the regular mail business. It was said that it would overload the postal employees. Some contended that it would create a postal deficit that the Treasury could ill afford to stand.

At this juncture the new Member from Maryland [Mr. LEWIS], the coal miner, introduced in this House a comprehensive bill providing for a parcel express to be operated by the Government in connection with the Post Office Department. He put in the RECORD an exhaustive treatise exemplifying his plan. This was printed in pamphlet form and sent to each Member of this House. It appealed to Members as being a logical and businesslike solution of the parcel-post question. Sentiment in its favor began to crystallize.

Thereupon another first-term Member of this body, J. H. GOEKE, of Ohio, a lawyer of eminent ability and a member of the Committee on Interstate and Foreign Commerce, at the request of the gentleman from Maryland [Mr. LEWIS], re-drafted the Lewis bill, simplifying its terms, and again introduced it in this House.

As reported from the Committee on the Post Office and Post Roads the pending Post Office appropriation bill contains only the most meager provisions touching a parcel post. The reported bill provides for the transmission of packages through the mails up to 11 pounds, but fixes the rate at 12 cents a pound. This would be an improvement over the present law, which limits the weight to 4 pounds and fixes the rate at 16 cents a pound. But the change is insufficient to give any relief from the express companies, because the proposed rate of 12 cents a pound is still prohibitive, and is in excess of express rates. The bill reported by the Committee on the Post Office and Post Roads also provides for carrying packages up to 11 pounds, originating and ending on the same rural route, at 25 cents for 11 pounds and correspondingly low rates for smaller packages.

It was conceded by the distinguished chairman of the Committee on the Post Office and Post Roads [Mr. MOON], in opening the debate upon the pending Post Office appropriation bill several days ago, that neither one of the two provisions carried in the bill would afford any substantial relief to the public at large. The general provision carrying a rate of 12 cents a pound is too high to compete with express rates, and the latter provision applies only to a package sent from one point to another on the same rural route.

The bill contains a third provision touching this subject, to wit, a section providing for the appointment of a commission to investigate the whole matter and report to Congress next year as to the advisability of establishing a parcel post.

This was the situation that confronted the House at the opening of this debate upon the pending Post Office appropriation bill. Even the two provisions that I have mentioned, concerning the 12-cent general rate and the special rate on rural routes, as ineffectual as they are to give relief, would not be in order under the standing rules of the House, and any Member by merely objecting could have had them stricken from the bill upon its final consideration. The general rule to which I refer is the one prohibiting any new legislation being included in an appropriation bill.

Confronted, as we were, with this situation, and there being much sentiment in the House for the enactment of a general and effectual parcel post at this session, the Committee on Rules last Thursday a week ago brought in a special rule, for adoption or rejection by the House, making not only the two provisions already in the bill in order, but also making the Lewis-Goeke bill, which I mentioned at the beginning, in order. The House adopted this rule by a decisive vote.

At this time I desire to say a few words in favor of adopting the Lewis-Goeke bill as a part of the pending Post Office appropriation bill; and I hope and believe that when the bill is offered as an amendment to the main bill it will be adopted.

The Lewis-Goeke bill provides that on July 1, 1913, the Government shall, under the jurisdiction of the Post Office Department, establish a parcel express. The rates are to be fixed by the Postmaster General, and packages are to be carried practically at cost, but not at a loss. A zone system is to be established, so that the Government will get more for a long haul of an express package than for a short haul.

Of course the Government parcel express will drive the private express companies out of business. The private express companies will no longer have need for much of their equipment. Therefore the Lewis-Goeke bill is only fair in providing for the taking over by the Government of such of the equipment of the express companies as the Government may desire and be able to use in its business, and at the actual cash value of the property so taken over.

The Lewis-Goeke bill does not provide for paying the express companies anything for their so-called franchises. They have no franchises. The Government does not propose by the bill to pay the express companies one cent for their watered stock or give them any compensation for the speculative profits that the companies will lose as a result of being superseded in the business by the Government.

Therefore the argument that has been made here by the gentleman from Wyoming [Mr. MONDELL] to the effect that the express companies would welcome this bill as an opportunity to unload their old junk on the Government is not well taken. The Government simply proposes by the Lewis-Goeke bill to go into the express business on July 1, 1913, and to take over such of the actual tangible property of the express companies as it can use in the business at its actual cash value and no more. Nothing could be fairer than this.

There is nothing radical about the parcel express. It amounts only to an extension of the functions of the Post Office Department, and along the same lines that the department is now doing business.

It must be remembered that a parcel express does not mean Government ownership any more than the present post-office business means Government ownership. Neither the postal department nor the express companies are the actual carriers of the parcels now transported. They are the conductors of the carriage. The railroads do the carrying. In the case of mail parcels the postal department sends along with the shipment a few men to see that it is properly conducted and to see that the several parcels are sent to their proper destinations. In the case of express packages the express companies send along their men with the shipment for the same identical purpose.

At the present time this work is largely duplicated. Express cars are attached to the same trains with the mail cars. Sometimes the same car will be partitioned off so that one half is occupied by a mail clerk and the other half by an express messenger. A parcel express would result in a great saving of expense by the elimination of duplication in the matter of employees as well as of equipment.

The parcel express will simply result in the postal department employing more railway mail clerks or railway express clerks and more clerks and carriers at the various distributing points. It will result in hiring more men in the postal department, but it will not result in Government ownership. It will result in enlarging the post offices and Government buildings used for post-office purposes in the various towns and cities to accommodate the increased business, and will result in the purchase of additional wagons, trucks, and so forth; but all of this extra expense will be met by the increased revenues of the Post Office Department.

The parcel express will be self-sustaining from the start and will give the public transportation for small packages at probably one-third the amount now paid the express companies.

Under the parcel express the Government will undoubtedly carry packages up to 100 pounds. What the people need is reasonable rates upon packages up to 100 pounds in weight. The railroads have fixed 100 pounds as the minimum in fixing their rates. That is to say, the railroads charge the same rate for any package sent by freight under 100 pounds as they charge for a 100-pound package.

It is upon the carriage of packages between 1 pound and 100 pounds that the express companies now have a practical monopoly. It costs a citizen of Portland, my home city, almost as much for express charges on a box of fruit sent from any point out in the State as the producer gets at the point of shipment.

The parcel express will reduce the high cost of living. It will form a conduit between the farm in the country and the kitchen in the city. It will prove itself to be a great public utility, which, when once established, no one would think of giving up any more than we would now think of turning over the carriage of our letters to the express companies.

I have received protests against the parcel post from merchants in my State based on the ground that it would aid the mail-order houses and drive the country merchant out of business. That objection will be met by the zone system. Besides, it is an ungrounded apprehension, in my opinion. It is based upon the most palpable sophistry. If cheap transportation rates of packages under 100 pounds would drive the country merchants out of business, then a reduction of rates by the express companies would be a calamity to the country merchants instead of a blessing. It must be that the express companies have used arguments upon the country merchants that are specious in the extreme to convince them that the express companies are favoring them by charging them excessive rates. According to that argument the country merchants should petition the express companies to make a still higher rate, for if a high rate is a good thing a higher rate would be a better thing.

But, on the other hand, I have received resolutions from 12,000 farmers in Oregon in favor of the Lewis-Goeke bill. And from the men and women in Portland who work for a living, and who are now contributing a dollar or two apiece every month to the express companies above the profits that are fairly earned, I have received hundreds of letters favoring a general parcel post. Therefore I favor the Lewis-Goeke bill, which will give the country something that is even better than a parcel post, to wit, a parcel express. [Applause.]

Mr. MOON of Tennessee. Mr. Chairman, I ask that we proceed now with the reading of the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Page 19, line 3:

"Provided further, That after the 1st of July, 1917, the Postmaster General shall not approve or allow to be used or pay for any full railway post-office car not constructed of steel, steel underframe, or equally indestructible material, and not less than 20 per cent of the new equipment shall be put into operation annually after July, 1912; and after the passage of this act no contract shall be entered into for the construction of steel underframe cars."

Mr. MANN. Mr. Chairman, I rise to make a request for unanimous consent.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Mr. Chairman, a few days ago, on page 11, an amendment was inserted prohibiting the opening of post offices on Sunday for the delivery of mail. I ask unanimous consent that instead of the amendment which was inserted at that time there may be inserted in lieu thereof the amendment which I now send to the desk and ask to have read.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to insert in lieu of the amendment adopted the amendment which the Clerk will now report.

The Clerk read as follows:

Amend by inserting on page 11, lines 24 and 25, in lieu of the amendment agreed to, the following:

"In all, \$37,878,000: *Provided*, That hereafter post offices of the first and second classes shall not be opened on Sundays for the purpose of delivering mail to the general public, but this provision shall not prevent the prompt delivery of special-delivery mail.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none, and it is so ordered. The Clerk will read.

Mr. MANN. Page 25 is the next page, Mr. Chairman, to be considered.

Mr. SHACKLEFORD. Mr. Chairman, I offer the following amendment.

Mr. MANN. Mr. Chairman, would the gentleman from Missouri be willing to let his matter go over until Tuesday next?

Mr. SHACKLEFORD. Will not the gentleman from Illinois be willing that I should offer the amendment now and have it pending, and then, I understand, there is to be a request for unanimous consent to let another matter come in ahead of it.

Mr. MANN. Certainly.

Mr. SHACKLEFORD. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

Mr. MADDEN. Mr. Chairman, if the gentleman is to be permitted to introduce his amendment at this time, I desire the privilege of introducing an amendment to the amendment.

The CHAIRMAN. The Chair will state to the gentleman from Illinois that the gentleman from Missouri has a right to introduce his amendment at this time, under the rule.

Mr. MADDEN. I wish to offer an amendment to it.

The CHAIRMAN. The gentleman will be recognized at the proper time. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 25, at the end of line 7, insert the following:

"That for the purposes of this act certain highways of the several States, and the civil subdivisions thereof, are classified as follows:

"Class A shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practicably necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide composed of shells, vitrified brick, or macadam, graded, crowned, compacted, and maintained in such manner that it shall have continuously a firm, smooth surface, and all other roads having a road track not less than 9 feet wide of a construction equally smooth, firm, durable, and expensive, and continuously kept in proper repair. Class B shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practicably necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide composed of burnt clay, gravel, or a proper combination of sand and clay, sand and gravel, or rock and gravel, constructed and maintained in such manner as to have continuously a firm, smooth surface. Class C shall embrace roads of not less than 1 mile in length upon which no grade shall be steeper than is reasonably and practicably necessary in view of the natural topography of the locality, with ample side ditches, so constructed and crowned as to shed water quickly into the side ditches, continuously kept well compacted and with a firm, smooth surface by dragging or other adequate means, so that it shall be reasonably passable for wheeled vehicles at all times. That whenever the United States shall use any highway of any State, or civil subdivision thereof, which falls within classes A, B, or C, for the purpose of transporting rural mail, compensation for such use shall be made at the rate of \$25 per annum per mile for highways of class A, \$20 per annum per mile for highways of class B, and \$15 per annum per mile for highways of class C. The United States shall not pay any compensation or toll for such use of such highways other than that provided for in this section, and shall pay no compensation whatever for the use of any highway not falling within classes A, B, or C. That any question arising as to the proper classification of any road used for transporting rural mail shall be determined by the Secretary of Agriculture. That the compensation herein provided for shall be paid at the end of each fiscal year by the Treasurer of the United States upon warrants drawn upon him by the Postmaster General to the officers entitled to the custody of the funds of the respective highways entitled to compensation under this act.

"The provisions of this paragraph shall go into effect on the 1st day of July, 1913."

Mr. SHACKLEFORD. Mr. Chairman, I understand that the gentleman from Tennessee [Mr. MOON], the chairman of the committee, desires now to ask unanimous consent that another paragraph be permitted to take precedence of the amendment which I have offered.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. SHACKLEFORD. Certainly.

Mr. MANN. There are several paragraphs in the bill that will probably take no time at all. I suppose the gentleman would not desire to proceed with the consideration of his amendment to-night without a fairly full House?

Mr. MOON of Tennessee. Mr. Chairman, I ask unanimous consent that the amendment be passed at this time until we have considered section 5 under the rule.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to pass the amendment offered by the gentleman from Missouri until the committee has considered section 5. Is there objection?

There was no objection.

Mr. DODDS. Mr. Chairman, I ask unanimous consent to return to that same page, at the end of line 6.

The CHAIRMAN. What page is that?

Mr. DODDS. Page 25.

Mr. MOON of Tennessee. Mr. Chairman, I object. Let us proceed with the consideration of section 5 now.

The CHAIRMAN. The Chair will say to the gentleman from Tennessee that under the rule sections 2, 3, and 4 should precede section 5.

Mr. MOON of Tennessee. I have asked unanimous consent, and I thought obtained it, that we proceed with section 5.

The CHAIRMAN. The Chair does not think that that can be done in the committee. The gentleman can ask unanimous consent to pass by sections 2, 3, and 4.

Mr. MOON of Tennessee. Very well, I will so make the request.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to pass by sections 2, 3, and 4 and take up section 5. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The Clerk will read section 5.

The Clerk read as follows:

SEC. 5. That on and after July 1 next, following the passage of this act, letter carriers in the City Delivery Service and clerks in first and second class post offices shall be required to work not more than 8 hours a day: *Provided*, That the 8 hours of service shall not extend over a longer period than 10 consecutive hours, and the schedules of duty of the employees shall be regulated accordingly.

That in cases of emergency, or if the needs of the service require, letter carriers in the City Delivery Service and clerks in first and second class post offices can be required to work in excess of eight hours a

day, and for such additional services they shall be paid extra in proportion to their salaries as fixed by law.

That should the needs of the service require the employment on Sunday of letter carriers in the City Delivery Service and clerks in first and second class post offices, the employees who are required and ordered to perform Sunday work shall be allowed compensatory time on one of the six days following the Sunday on which they perform such service.

Mr. BERGER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 29, line 13, insert after the word "accordingly" the following—

The CHAIRMAN (interrupting the reading). The Chair will say that that paragraph was passed.

Mr. BERGER. Mr. Chairman, I tried to get the floor; to get the eye of the Chairman.

The CHAIRMAN. The Chair will say that if the gentleman from Wisconsin was trying to get the eye of the Chair, he will entertain the amendment.

Mr. DYER. Mr. Chairman, he was doing that.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 29, line 13, insert after the word "accordingly" the following: "And that all postal clerks employed shall be permitted the use of chairs at least during two hours every day while at work."

Mr. BERGER. Mr. Chairman, we have the most efficient postal clerks in the world. It has been shown that the average postal clerk in America handles about 52,000 pieces of mail annually. The average clerk in England handles a little over one-half that number. In Germany it is less, I believe—about 25,000 pieces a year. I am not quite sure about the exactness of these figures; therefore I will ask the gentleman from Maryland [Mr. LEWIS], who has given us the table of the International Postal Union in one of his speeches recently.

Mr. LEWIS. Twenty-eight thousand in Germany.

Mr. BERGER. Well, at any rate, over 50,000 in this country. It is hard work for these clerks to stand sometimes for 10 or 11 hours—when they work overtime—without having permission to use a chair. It may appear like a matter of minor importance, but comforts of life are made up of small things and so are many annoying discomforts. I believe the work of our postal department would not suffer if the clerks would be permitted to use a chair at least for two hours a day. Legislators are trying to help the clerks in the department stores by compelling the proprietors to furnish chairs and to permit the clerks to use them. Our Government should be the model employer; therefore, why not allow the postal employees, wherever that can be done without interfering with the service, to use chairs some time during the day?

Mr. MANN. Will the gentleman yield?

Mr. BERGER. With pleasure.

Mr. MANN. The gentleman's amendment, I think, says "chair." Would not stools be used in many cases?

Mr. BERGER. I accept the amendment. Chairs or stools, benches, or anything that the clerks can sit on.

Mr. MANN. Evidently in many cases stools would be naturally used in place of chairs.

Mr. BERGER. I should be willing to have the words "stools" and "benches" inserted.

Mr. CANNON. Does this mean the clerk must stand the other six hours?

Mr. MANN. No; but I understand it to mean he is to sit down for two hours.

Mr. CANNON. The clerk ordinarily in a post office does sit.

Mr. MANN. This is to require them to furnish chairs or stools so they may sit for at least two hours a day.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to amend his amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. Are they deprived of that right?

Mr. MANN. I am not sure but what this will permit good service where men have to stand up to do the work part of the time at least.

Mr. BERGER. If my amendment is agreed to, there will be two hours a day when postal clerks will be permitted to sit down while at work. They may get permission to sit three or four hours if the nature of their work should permit, but two hours every day would be the minimum. And the clerks could be shifted around in their work in order to make this possible.

Mr. MURDOCK. Will the gentleman yield? Are post-office clerks required to stand now?

Mr. BERGER. They are in most instances, as far as I know. It is unnecessary for me to state here that the complaints come from clerks. I know it is against the rules to complain to Con-

gressmen, but, of course, the clerks are safe as far as I am concerned.

Mr. MURDOCK. The purpose of the gentleman is to afford opportunity for the clerks to sit—

Mr. BERGER. Part of the time while they are at work.

Mr. MURDOCK. Without interfering with the discharge of their duties? Why is it limited to two hours a day; why not authorize or require the department to furnish these stools or chairs so the clerks, when not engaged in the discharge of their duties, may sit at any time?

Mr. MANN. Well, they are engaged in the discharge of their duties.

Mr. MURDOCK. I mean in such a way as not to interfere with the discharge of their duties.

Mr. BERGER. I am willing to accept any reasonable suggestion, so long as the clerks get an opportunity to rest their feet at least part of the time.

Mr. MURDOCK. I do not know whether that can be done or not.

Mr. CANNON. Does this mean simply a vacation of two hours each day?

Mr. MANN. Not at all.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON of Tennessee. Mr. Chairman, I do not know whether there would be any serious objection to this amendment if there is any serious reason for it, but it seems to me that the House does not want to go into a direction of the administration of the affairs of the post office as to how many chairs there shall be in an office, who shall sit in them, how long, and how many stools. I take it that all would have to be connected with this two hours proposal. I hope the House will not undertake to go into details of that sort on a proposition of this sort. It is not desired by the clerks.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the Chair announced the "noes" seemed to have it.

On a division (demanded by Mr. BERGER) there were—ayes 35, noes 55.

Mr. BERGER. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The Chair will count.

Mr. BERGER. Mr. Chairman, I understand they want to pass the Mississippi bill to-night, and I withdraw the point.

The CHAIRMAN. The Chair thinks a quorum is present.

So the amendment was rejected.

The Clerk read as follows:

That should the needs of the service require the employment on Sunday of letter carriers in the City Delivery Service and clerks in first and second class post offices, the employees who are required and ordered to perform Sunday work shall be allowed compensatory time on one of the six days following the Sunday on which they perform such service.

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. The amendment offered by the gentleman from Missouri was passed by to take up section 5. Now, before we do anything else, I think the gentleman ought to ask unanimous consent to take up the other sections, if he desires to do so, so that the gentleman from Minnesota does not lose his right.

Mr. MOON of Tennessee. Mr. Chairman, I ask unanimous consent that before considering the amendment of the gentleman from Missouri we consider sections 2, 3, and 4.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that before considering the amendment of the gentleman from Missouri the committee consider sections 2, 3, and 4. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object, I understand when these sections are considered the gentleman intends to move that the committee rise?

Mr. MOON of Tennessee. I do.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The Clerk read as follows:

Sec. 2. No contract for furnishing supplies to the Post Office Department or the postal service shall be made with any person who has entered, or proposed to enter, into any combination to prevent the making of any bid for furnishing such supplies, or to fix a price or prices therefor, or who has made any agreement, or given or performed, or promised to give or perform, any consideration whatever to induce any other person not to bid for any such contract, or to bid at a specified price or prices thereon; and if any person so offending is a contractor for furnishing such supplies, his contract may be annulled, and the person so offending shall be liable to a fine of not less than \$100 nor more than \$5,000, and may be further punished, in the discretion of the court, by imprisonment for not less than three months nor more than one year.

The CHAIRMAN. Under the rules at that point the amendment offered by the gentleman from Indiana [Mr. BARNHART] is in order.

Mr. BARNHART. Mr. Chairman, under that rule I offer the following amendment.

Mr. MANN. I have no objection to the gentleman offering his amendment, but I suggest that the request for unanimous consent was that we take it up out of order and consider sections 2, 3, and 4.

Mr. BARNHART. If it is so understood we shall return to this page and then take it up.

The CHAIRMAN. The Chair thought it proper to call the attention of the committee to the fact, in order that the gentleman from Indiana [Mr. BARNHART] might not lose his opportunity.

Mr. FOSTER. Mr. Chairman, I ask unanimous consent that the amendment may be taken up when we again meet and after the disposition of the amendment offered by the gentleman from Missouri [Mr. SHACKLEFORD].

The CHAIRMAN. The gentleman from Illinois [Mr. FOSTER] asks unanimous consent that the amendment proposed to be offered by the gentleman from Indiana [Mr. BARNHART] may be taken up after the amendment offered by the gentleman from Missouri [Mr. SHACKLEFORD] is disposed of. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSTER. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to print the amendment he proposes to offer, together with an amendment which he proposes to offer to the amendment.

The CHAIRMAN. The Chair is advised that has already been done.

Mr. FOSTER. Not the amendment to the amendment.

Mr. BARNHART. I ask unanimous consent, Mr. Chairman, to print the amendment to the amendment in the Record.

The CHAIRMAN. The gentleman from Indiana [Mr. BARNHART] asks unanimous consent to print in the Record the amendment to the amendment proposed to be offered by him. Is there objection? [After a pause.] The Chair hears none.

The following is the amendment to the amendment offered by the gentleman from Indiana [Mr. BARNHART]:

After line 15, page 28, of H. R. 21279, insert the following:
"That it shall be unlawful for any person, association, or corporation to enter or deposit, or to have entered or deposited, into the mails of the United States any newspaper, magazine, or other periodical publication of like kind, unless such publication shall have plainly printed in a conspicuous place therein the name or names of the managing editor or managing editors, the name or names of the publisher or publishers, and the name or names of the owner or owners, including the name or names of the owner or owners of stock, bonds, or other securities, to the amount of \$500 or more, which have been issued or sold by the said person, association, or corporation owning or controlling such publication and which may be outstanding. Also all editorial or other reading matter published in any circulating periodical for the insertion of which money or other consideration is accepted by the publisher or publishers shall be plainly marked "advertisement" or signed by the name or names of the person or persons in whose interest or interests such article is published. Any person, association, or corporation that shall so enter or deposit, or have entered or deposited in the mails of the United States any such newspaper, magazine, or periodical publication of like kind in violation of the foregoing provisions shall be guilty of a misdemeanor and be fined in any sum not less than \$100 nor more than \$1,000 for each offense."

The Clerk read as follows:

Sec. 4. When, after a weighing of the mails for the purpose of readjusting the compensation for their transportation on a railroad route, mails are diverted therefrom or thereto, the Postmaster General may, in his discretion, ascertain the effect of such diversion by a weighing of such mails for such number of successive working days as he may determine, and have the weights stated and verified to him as in other cases, and readjust the compensation on the routes affected accordingly: *Provided*, That no readjustment shall be made unless the diverted mails equal at least 10 per cent of the average daily weight on any of the routes affected.

Mr. MOON of Tennessee. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 21279) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes, and had come to no resolution thereon.

REBUILDING OF LEVEES.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the Senate joint resolution No. 102 and agree to the same with certain amendments.

The SPEAKER. The gentleman from Mississippi [Mr. HUMPHREYS] asks unanimous consent for the discharge of the

Committee on Rivers and Harbors from the further consideration of Senate joint resolution 102, and for the present consideration of the same. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the Senate resolution.

The Clerk read as follows:

Joint resolution (S. 102) relative to the rebuilding of certain levees on the Mississippi River and its tributaries.

Resolved, etc., That the Secretary of War be, and he is hereby, authorized and directed to rebuild, by contract or otherwise, in accordance with such plans, specifications, and recommendations of the Mississippi River Commission as may be approved by the Chief of Engineers, such portions of the levees on the Mississippi River and its tributaries as may have been or may hereafter be broken by the existing flood in said rivers, or so materially weakened as to necessitate rebuilding, and the sum of \$1,500,000, or so much thereof as may be necessary, is hereby appropriated for this purpose out of funds remaining in the Treasury not otherwise appropriated: *Provided*, That the Secretary of War shall keep an account of the actual cost of all work done under the provisions of this resolution, and upon completion of the work he shall report the total cost thereof to the Secretary of the Treasury, and the Secretary of the Treasury shall cause a sum equal to the cost so reported to be deducted from the appropriations that may hereafter be made for improving the Mississippi River from Head of Passes to the mouth of the Ohio River, and to be carried to the surplus fund and covered into the Treasury.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I ask unanimous consent that this resolution be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Mississippi [Mr. HUMPHREYS] asks unanimous consent that this resolution be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

The Clerk will read the joint resolution for amendment.

Mr. MANN. Mr. Speaker, I ask, inasmuch as the resolution has just been read, that further reading be dispensed with.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I ask to amend the resolution, in line 13, page 1, by striking out the words "funds remaining" and inserting in lieu thereof the words "any money."

Mr. CANNON. May I ask the gentleman from Mississippi [Mr. HUMPHREYS] a question? That would necessitate the bill going back to the Senate. Does the gentleman think the amendment is really material?

Mr. MANN. There is another amendment that we want to put in anyhow.

Mr. HUMPHREYS of Mississippi. I did not think the amendment was material, really, but there is another amendment that has been insisted upon, and this amendment was suggested by another gentleman in the House, and I just agreed to it.

Mr. CANNON. All right.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. HUMPHREYS of Mississippi. Now, Mr. Speaker, in line 6, on page 2, I move to amend by striking out the word "may" and inserting the words "shall first."

The SPEAKER. There is not any line 6 on page 2 of the engrossed copy of this bill.

Mr. HUMPHREYS of Mississippi. This resolution that I have in my hand is the Senate joint resolution.

The SPEAKER. The Clerk now has the same copy as the gentleman from Mississippi. The Clerk will report the amendment. But, first, will the gentleman from Mississippi please repeat his amendment?

Mr. HUMPHREYS of Mississippi. In line 6 of page 2 strike out the word "may" and insert in lieu thereof the words "shall first."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 6, strike out the word "may" and insert in lieu thereof the words "shall first."

Mr. BUTLER. How will that read then, Mr. Speaker?

The Clerk read as follows:

So that it will read: "Shall be deducted from the appropriations that shall first hereafter be made for improving the Mississippi River," etc.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the third reading of the amended Senate joint resolution.

Mr. MARTIN of South Dakota. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER. Does the gentleman from Mississippi yield to the gentleman from South Dakota?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. MARTIN of South Dakota. Within the last two or three days very serious damage, I am advised, has been done by the high water of the Missouri in the neighborhood of Sioux City, Iowa, and the levees in that stream both in Iowa and Nebraska, and, perhaps, South Dakota. Would this emergency fund, in the language of the resolution, be broad enough to meet the emergencies of the situation there?

Mr. HUMPHREYS of Mississippi. The language of the resolution is—

Such portions of the levees on the Mississippi River and its tributaries as may have been or may hereafter be broken by the existing flood in said rivers or so materially weakened as to necessitate rebuilding.

Mr. MARTIN of South Dakota. I have not had the opportunity to examine the resolution, but my impression is that the language is broad enough to cover that situation. Is that so?

Mr. HUMPHREYS of Mississippi. My impression is that the language is broad enough to cover that situation on any of the tributaries of the rivers where the levees have been broken by the existing flood or that may hereafter be broken by it or so weakened as to require rebuilding.

Mr. LLOYD. Mr. Speaker, will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Yes.

Mr. LLOYD. Is it not true that this arrangement will affect only those levees that are under the control of the Mississippi River Commission?

Mr. HUMPHREYS of Mississippi. No; that is not true.

Mr. LLOYD. I do not remember exactly the wording of the resolution. What connection has the Mississippi River Commission with this resolution?

Mr. HUMPHREYS of Mississippi. The Mississippi River Commission has jurisdiction over the levees on the Mississippi River from Cape Girardeau to the Head of the Passes. But there are other levees on the Ohio River and on the Arkansas River and on the Red River that are not under the jurisdiction of the Mississippi River Commission.

Mr. LLOYD. The reason I ask that question is that there are some levees broken on the Mississippi River between Keokuk, Iowa, and Hannibal, Mo., and we are anxious that they shall be cared for under this resolution.

Mr. HUMPHREYS of Mississippi. If they are broken or so materially weakened as to necessitate rebuilding, they would come within the language of this resolution.

Mr. MANN. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Mississippi yield to the gentleman from Illinois?

Mr. HUMPHREYS of Mississippi. Certainly.

Mr. MANN. As I understand this resolution and another resolution in the House, as originally prepared, they did not provide for anything except the levees of the Mississippi River between Cairo and the Passes, and the amendments were inserted in this resolution for the purpose of covering levees on the tributaries of the Mississippi River as well as on the Mississippi River above Cairo. That is the understanding of the War Department?

Mr. HUMPHREYS of Mississippi. Yes; that is the understanding of the War Department. It is our understanding here, at any rate.

Mr. MANN. It is my understanding that that is the understanding of the War Department.

Mr. DYER. Does not the resolution so state?

Mr. HUMPHREYS of Mississippi. I will state to the gentleman from Illinois [Mr. MANN] that the particular levees that I discussed with the Chief of Engineers when I prepared this resolution, or when I was preparing it, rather, were the levees on the Mississippi River, of course, and the levees on the Ohio River near Mound City, and some levees on the Arkansas River and on the Red River. We did not discuss particularly the levees up on the Mississippi River at Keokuk.

Mr. MANN. The authority of the resolution is the same?

Mr. HUMPHREYS of Mississippi. It is broad enough, undoubtedly.

Mr. MANN. My colleague from Illinois [Mr. THISTLEWOOD] is interested in the levees in Cairo, and my colleague [Mr. FOWLER] is interested in the levees on the Ohio River. Mr. THISTLEWOOD went to the War Department, and he told me that he was informed up there that this resolution as it passed the Senate was sufficient to cover all of these cases.

Mr. HUMPHREYS of Mississippi. That was certainly the opinion of the Chief of Engineers when I was in conference with him the other day. This resolution is identical with the resolution introduced by myself and reported by the Committee on Rivers and Harbors. It was identical—

Mr. MANN. Not identical.

Mr. HUMPHREYS of Mississippi. No; it was not identical, either.

Mr. MANN. Until they stuck in the "tributaries of the Mississippi River."

Mr. HUMPHREYS of Mississippi. Oh, no.

Mr. MANN. Or the "materially weakened levees."

Mr. HUMPHREYS of Mississippi. Oh, no; my resolution did have the "tributaries of the Mississippi River" in it. The only amendment the Senate made to it was to add the words:

Or so materially weakened as to necessitate rebuilding.

Mr. MANN. I supposed the resolution introduced by the gentleman was the same as the resolution introduced in the Senate.

Mr. HUMPHREYS of Mississippi. It was, and it had the "tributaries of the Mississippi River" in it. The only amendment the Senate put on was the amendment I have just suggested.

The SPEAKER. The question is on the third reading of the amended Senate joint resolution.

The joint resolution as amended was ordered to a third reading and was accordingly read the third time and passed.

FERNANDO PAGE.

Mr. LLOYD. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 517.

Resolved, That there shall be paid, out of the contingent fund of the House, to Fannie Page, widow of Fernando Page, late messenger in the House of Representatives on soldiers' roll, an amount equal to six months' salary as such messenger and an additional amount, not to exceed \$250, to pay the funeral expenses of said Fernando Page.

The SPEAKER. Is there objection?

There was no objection.

Mr. LLOYD. Mr. Speaker, Mr. Page was a messenger on the soldiers' roll. He died last night, and the necessity for the passage of the resolution at the present time is to provide the means for the family to transport his body from here to Michigan.

Mr. BARTLETT. Mr. Speaker, it does not require unanimous consent, does it?

Mr. LLOYD. I think it does, because the resolution is not reported from the committee.

Mr. MANN. I suppose it does not make any difference, but are not these soldiers' roll employees called messengers on the soldiers' roll instead of doorkeepers?

Mr. LLOYD. Yes; I think we had better change that.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the word "doorkeeper" and insert in lieu thereof the word "messenger."

The amendment was agreed to.

The resolution as amended was agreed to.

MAGDALENA BAY.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. The gentleman from California asks unanimous consent to address the House for one-half minute. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker, I wish to insert in the Record the following article published in the Washington Herald, referring to an article published in the San Francisco Examiner, relative to the Japanese obtaining a large tract of land, 700 miles of fishing rights, and so forth, in Mexico:

[From the Washington Herald, Apr. 26, 1912.]

JAPS AT MAGDALENA BAY—SECURE LANDS AND FISHING RIGHTS AND ELABORATE SURVEYS ARE BEING MADE.

SAN FRANCISCO, CAL., April 26, 1912.

Present conditions at Magdalena Bay, Mexico, are reported in a special dispatch to the Examiner as follows:

"An extensive concession of timber and agricultural lands, accompanied by a grant of fishing rights for 700 miles from Manzanillo to Salina Cruz, obtained through the Japanese ambassador to Mexico last year.

"Thirty Japanese scientists, now on the ground, making elaborate surveys, among them Katsuyo Tago, official representative of the Japanese Government.

"The concession made to private company, backed by Seichiro Asano, president of the Oriental Steamship Co. and a wealthy banker."

ADJOURNMENT.

Mr. MOON of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 4 minutes p. m.) the House adjourned until Monday, April 29, 1912, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HAY, from the Committee on Military Affairs, to which was referred the bill (H. R. 16843) to consolidate the veterinary service, United States Army, and to increase its efficiency, reported the same with amendment, accompanied by a report (No. 604), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HOWELL, from the Committee on Mines and Mining, to which was referred the bill (H. R. 22088) to establish a mining experiment station at Salt Lake City, Salt Lake County, Utah, to aid in the development of the mineral resources of the United States, and for other purposes, reported the same without amendment, accompanied by a report (No. 605), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JONES, from the Committee on Insular Affairs, to which was referred the bill (H. R. 22143) to establish a qualified independent government for the Philippines and to fix the date when such qualified independence shall become absolute and complete, and for other purposes, reported the same with amendment, accompanied by a report (No. 606), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado, from the Committee on Irrigation of Arid Lands, to which was referred the bill (H. R. 21171) authorizing the use of the reclamation fund in construction of a bridge across Snake River in Wyoming, reported the same with amendment, accompanied by a report (No. 615), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEVENS of Minnesota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 6160) to authorize the Great Northern Railway Co. to construct a bridge across the Missouri River in the State of North Dakota, reported the same without amendment, accompanied by a report (No. 607), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 6161) to authorize the Great Northern Railway Co. to construct a bridge across the Yellowstone River, in the county of Dawson, State of Montana, reported the same with amendment, accompanied by a report (No. 608), which said bill and report were referred to the House Calendar.

Mr. RICHARDSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 22092) to extend the time of the Twin City Power Co. for the completion of a dam across the Savannah River, reported the same without amendment, accompanied by a report (No. 609), which said bill and report were referred to the House Calendar.

Mr. DYER, from the Committee on the District of Columbia, to which was referred the bill (H. R. 16811) to require street railway companies operating in or within the District of Columbia to grant one-half fare rates to public-school pupils, reported the same with amendment, accompanied by a report (No. 610), which said bill and report were referred to the House Calendar.

Mr. DAVIS of West Virginia, from the Committee on the Judiciary, to which was referred the bill (H. R. 16461) to regulate the judicial procedure of the courts of the United States, reported the same with amendment, accompanied by a report (No. 611), which said bill and report were referred to the House Calendar.

Mr. CLAYTON, from the Committee on the Judiciary, to which was referred the bill (H. R. 23635) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported the same without amendment, accompanied by a report (No. 612), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 22591) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported the same without amendment, accompanied by a report (No. 613), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 10169) to provide for holding the District Court of the United States for Porto Rico during the absence from the island of the United States district judge and for the trial of cases in the event of the disqualification of or inability to act by the said judge, reported the same without amendment, accompanied by a report (No. 614), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SIMS: A bill (H. R. 23826) declaring all highways in the several States used for the purposes of transporting rural mail to be post roads and authorizing the improvement of same; to the Committee on the Post Office and Post Roads.

By Mr. JACKSON: A bill (H. R. 23827) to enable the Court of Claims to fix attorneys' fees and prohibiting attorneys from paying costs in suits on claims against the United States; to the Committee on War Claims.

By Mr. LAMB: A bill (H. R. 23828) to amend section 4488 of the Revised Statutes of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. DAVIS of West Virginia (by request): A bill (H. R. 23829) to prescribe and regulate liens upon real estate by suit action or attachment; to the Committee on the Judiciary.

Also, a bill (H. R. 23830) to regulate the judicial procedure of the courts of the United States; to the Committee on the Judiciary.

Also, a bill (H. R. 23831) to provide regulations in reference to the clearance of vessels from the ports of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. TOWNSEND: A bill (H. R. 23832) to amend section 1440 of the Revised Statutes of the United States; to the Committee on Naval Affairs.

By Mr. MANN: A bill (H. R. 23833) to amend proviso in meat-inspection law concerning products prepared according to directions of foreign purchasers; to the Committee on Agriculture.

By Mr. BROUSSARD: A bill (H. R. 23834) for the erection of a public building to be used as a post office at Thibodaux, La.; to the Committee on Public Buildings and Grounds.

By Mr. LEVY: A bill (H. R. 23835) to foster increase of life-saving facilities on ocean-going passenger vessels, etc.; to the Committee on the Merchant Marine and Fisheries.

By Mr. POUL: A bill (H. R. 23836) to enable the Secretary of War to pay the amount awarded to the Malambo fire claimants by the joint commission under Article VI of the treaty of November 18, 1903, between the United States and Panama; to the Committee on Appropriations.

By Mr. MORGAN: A bill (H. R. 23837) to authorize the Clinton & Oklahoma Western Railway Co. to construct and operate a railway through certain public lands, and for other purposes; to the Committee on Indian Affairs.

By Mr. ANSBERRY (by request): A bill (H. R. 23838) to provide for properly safeguarding the lives of passengers on vessels clearing any port in this country; to the Committee on the Merchant Marine and Fisheries.

By Mr. KENT: A bill (H. R. 23839) for the protection and increase of State game preserves; to the Committee on Agriculture.

By Mr. RAKER: Resolution (H. Res. 516) requesting the President to transmit to the House of Representatives any information in the possession of the Government regarding the purchase by the Japanese Government or a Japanese company of land in Magdalena Bay, and obtaining other concessions in Mexico; to the Committee on Foreign Affairs.

By Mr. SWEET: Resolution (H. Res. 517) to pay a certain sum of money to Fannie Page, widow of Fernando Page, late a messenger in the House.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Ohio: A bill (H. R. 23840) granting an increase of pension to Henry Schriver; to the Committee on Invalid Pensions.

By Mr. ANDRUS: A bill (H. R. 23841) granting an increase of pension to Harvey M. Munsell; to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 23842) granting an increase of pension to Isabella Lafarge; to the Committee on Invalid Pensions.

By Mr. BURKE of Pennsylvania: A bill (H. R. 23843) to remove the charge of desertion against James H. Jones; to the Committee on Military Affairs.

By Mr. CLAYPOOL: A bill (H. R. 23844) granting a pension to Peter Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23845) granting a pension to George McKibben; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23846) granting a pension to Francis M. Raburn; to the Committee on Invalid Pensions.

By Mr. COPLEY: A bill (H. R. 23847) granting a pension to Karl C. Wettstein; to the Committee on Pensions.

Also, a bill (H. R. 23848) granting a pension to Mary McDonald; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23849) granting an increase of pension to George H. Tooley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23850) granting an increase of pension to George Perry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23851) granting an increase of pension to George W. Copley; to the Committee on Invalid Pensions.

By Mr. CRAVENS: A bill (H. R. 23852) granting an increase of pension to Clyde C. Elkins; to the Committee on Invalid Pensions.

By Mr. DOUGHTON: A bill (H. R. 23853) for the relief of the estate of the late Nathaniel Boyden; to the Committee on Claims.

By Mr. FERGUSSON: A bill (H. R. 23854) for the relief of Ventura Maestas; to the Committee on Claims.

Also, a bill (H. R. 23855) granting a pension to R. J. Jamison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23856) granting a pension to Ernest H. Hill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23857) granting an increase of pension to William H. Metzger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23858) for the relief of the heirs of Jesus Maria Candelaria, deceased; to the Committee on Claims.

By Mr. FLOYD of Arkansas: A bill (H. R. 23859) granting a pension to Mary E. Plunkett; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 23860) granting an increase of pension to John C. Kliver; to the Committee on Invalid Pensions.

By Mr. GLASS: A bill (H. R. 23861) for the relief of Passed Asst. Surg. Micajah Boland, United States Navy; to the Committee on Naval Affairs.

By Mr. KINKAID of Nebraska: A bill (H. R. 23862) to correct the hospital record of Robert McFarland; to the Committee on Naval Affairs.

By Mr. KORBLY: A bill (H. R. 23863) granting a pension to Elizabeth J. McClain; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23864) granting a pension to Lewis C. Landon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23865) for the relief of Charles Thurman, alias Charles Mack; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 23866) for the relief of Robert J. Rose; to the Committee on War Claims.

Also, a bill (H. R. 23867) granting an increase of pension to John W. Cook; to the Committee on Invalid Pensions.

By Mr. LEE of Pennsylvania: A bill (H. R. 23868) granting an increase of pension to Nathaniel Yost; to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 23869) granting an increase of pension to Mary E. Sadler; to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 23870) granting an increase of pension to John Q. Thomas; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 23871) granting an increase of pension to Stanford W. Ellis; to the Committee on Invalid Pensions.

By Mr. SHERWOOD: A bill (H. R. 23872) granting an increase of pension to William Bacome; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 23873) granting an increase of pension to Thomas R. Scott; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 23874) granting a pension to Ida M. Perry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23875) granting an increase of pension to Charles W. Bricker; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AIKEN of South Carolina: Petition of citizens of North and South Carolina and Georgia, favoring building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. ANDERSON of Minnesota: Petition of John W. Whitson and 7 others, of Blooming Prairie, Minn., against extension of the parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. ANDRUS: Resolution of the North Side Board of Trade, city of New York, favoring improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

By Mr. ANSBERRY: Memorial of the Chamber of Commerce of San Diego County, remonstrating against House bills 11372 and 20576, to prohibit the towing of log rafts or lumber rafts through the open sea; to the Committee on the Merchant Marine and Fisheries.

Also, petition of William Taylor Son & Co., of Cleveland, Ohio, for retaining the Tariff Board; to the Committee on Ways and Means.

By Mr. ASHBROOK: Petition of Mayers & Bros. and 14 other merchants of Millersburg, Ohio, favoring enlargement of the powers of the Interstate Commerce Commission over express companies; to the Committee on Interstate and Foreign Commerce.

By Mr. AYRES: Resolution of the North Side Board of Trade, in the city of New York, favoring bill for improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

By Mr. CARY: Resolutions of the Wisconsin State Board of Agriculture, favoring House bill 18005; and of the faculty of the State Normal School, Stevens Point, Wis., favoring the Page and Wilson vocational bills; to the Committee on Agriculture.

Also, petition of Division No. 46, Order of Railway Conductors, Milwaukee, Wis., indorsing workmen's compensation; to the Committee on the Judiciary.

By Mr. DRAPER: Resolution of the North Side Board of Trade, of New York City, recommending the improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

By Mr. DANIEL A. DRISCOLL: Petition of board of directors of the Buffalo (N. Y.) Chamber of Commerce, for improvement and widening of the channel entrance to the Buffalo Harbor; to the Committee on Rivers and Harbors.

Also, memorial of members of United Harbor No. 1 of the American Association of Masters, Mates, and Pilots, for legislation to improve the efficiency of the Public Health and Marine-Hospital Service; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Chamber of Commerce of San Diego County, protesting against House bills 11372 and 20576, to prohibit the towing of log rafts and lumber rafts through the open sea; to the Committee on the Merchant Marine and Fisheries.

By Mr. DYER: Petition of the Brotherhood of American Yeomen, for amending section of Post Office appropriation bill relating to publications of fraternal societies; to the Committee on the Post Office and Post Roads.

Also, petition of L. E. Young, of the Missouri School of Mines, for enactment of House bill 6304; to the Committee on Mines and Mining.

Also, petitions of C. H. Markham, of Chicago, Ill., and Festus J. Wade and others, of St. Louis, Mo., for immediate appropriation to repair the levees of the Mississippi River; to the Committee on Rivers and Harbors.

Also, petition of the St. Louis Automobile Manufacturers and Dealers' Association, of St. Louis, Mo., favoring bill for Lincoln memorial road, etc.; to the Committee on the Library.

By Mr. FOCHT: Petition of Shirleysburg Grange, No. 119, Patrons of Husbandry, of Huntingdon County, State of Pennsylvania, favoring passage of House bill 19133; to the Committee on Interstate and Foreign Commerce.

By Mr. FORNES: Resolution of the North Side Board of Trade, city of New York, favoring bill for improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

By Mr. FULLER: Petition of Thomas H. Cannon, high chief ranger, Catholic Order of Foresters, Chicago, Ill., in favor of the passage of the Dodds amendment to the Post Office appropriation bill, relating to publications of fraternal societies; to the Committee on the Post Office and Post Roads.

Also, petition of Rev. Frank Babcock, of Mazon, Ill., favoring the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, papers to accompany bill for the relief of John C. Kliner; to the Committee on Invalid Pensions.

Also, petition of the Chamber of Commerce of San Diego County, Cal., in opposition to the passage of House bills 11372 and 20576, to regulate the officering and manning of vessels, etc.; to the Committee on the Merchant Marine and Fisheries.

By Mr. GOULD: Petitions of citizens of the State of Maine, for passage of House bill 19133, providing for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. GUERNSEY: Petition of members of the Improved Order of Red Men and other citizens of Maine, favoring passage of Senate bill 3953 and House bill 16313, providing for the erec-

tion of an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. HANNA: Petitions of citizens of the State of North Dakota, asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

Also, petition of citizens of Stowers, N. Dak., urging repeal of the reciprocity pact with Canada; to the Committee on Ways and Means.

Also, petitions of citizens of Dickinson, Stark County, citizens of Fairmont, Richland County, and citizens of Richardton, Stark County, N. Dak., against passage of a parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. KAHN: Petition of the board of directors of the Sierra Club, strongly opposed to House bill 21954, providing for a change in the western boundary of the Yosemite National Park and the exclusion from the park of nearly 50,000 acres; to the Committee on the Public Lands.

Also, petition of G. W. Morehouse, of San Francisco, Cal., against passage of the Lever bill (H. R. 20281) and favoring passage of the Haugen bill (H. R. 21225); to the Committee on Agriculture.

Also, petition of Stairbuilders' Local, No. 616, of San Francisco, Cal., favoring passage of House bill 22339; to the Committee on the Judiciary.

Also, petition of H. D. Loveland, of San Francisco, Cal., favoring construction of flood-water canal to care for flood water of San Joaquin River; to the Committee on Rivers and Harbors.

Also, memorial of Chamber of Commerce of San Diego County, remonstrating against House bills 11372 and 20576, to prohibit the towing of log rafts or lumber rafts through the open sea; to the Committee on the Merchant Marine and Fisheries.

Also, petition of the California Wholesale Grocers' Association, for enactment of House bill 4667; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Board of Trade of San Francisco, Cal., protesting against House bill 16844; to the Committee on Interstate and Foreign Commerce.

By Mr. KINKEAD of New Jersey: Memorial of Bergen County (N. J.) Pomona Grange, No. 11, for a general parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. KORBLY: Petitions of citizens of Indianapolis, Ind., protesting against House bill 21100; to the Committee on the Judiciary.

Also, petitions of citizens of the State of Indiana, relative to proposed legislation relating to oleomargarine; to the Committee on Agriculture.

Also, petitions of citizens of Indianapolis, Ind., for passage of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

Also, petition of members of Improved Order of Red Men of the seventh congressional district of Indiana, for the erection of an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, petitions of citizens of the State of Indiana, for a general parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of the State of Indiana, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, memorial of citizens of Marion County, Ind., for Federal aid in maintaining highways; to the Committee on Agriculture.

Also, petitions of the Roman Catholic Knights of St. George and German Roman Catholic St. Francis Aid Society, of Indianapolis, Ind., in regard to measures relating to Catholic Indian mission interests; to the Committee on Indian Affairs.

Also, petition of Kothe, Wells & Bauer Co., of Indianapolis, Ind., for passage of House bill 4667; to the Committee on Interstate and Foreign Commerce.

Also, petition of L. S. Ayres & Co., of Indianapolis, Ind., protesting against House bill 16844; to the Committee on Interstate and Foreign Commerce.

Also, petition of William R. Casella, Frank Green, and G. G. Swain, of Indianapolis, Ind., favoring House bill 20595, to amend section 25 of the copyright act of 1909; to the Committee on Patents.

Also, petition of W. J. Holliday & Co., Indianapolis, Ind., against passage of House bill 16844, providing that all goods shall be labeled with manufacturer's brands; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Indianapolis, Ind., favoring unrestricted arbitration between this country and Great Britain and this country and France; to the Committee on Foreign Affairs.

Also, petition of Nordyke & Marmon Co., Indianapolis, Ind., favoring Lincoln memorial road from Washington to Gettysburg; to the Committee on the Library.

Also, petition of Inland City Lodge, No. 374, Brotherhood of Railroad Trainmen, Indianapolis, Ind., favoring passage of the Federal workman's compensation bill; to the Committee on the Judiciary.

Also, petition of citizens of Indianapolis, Ind., favoring bill prohibiting shipping of liquor into prohibition States; to the Committee on the Judiciary.

Also, petition of citizens of Indianapolis, Ind., favoring passage of House bill 9433, prohibiting Sunday opening of post offices; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of the State of Indiana, favoring building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of the Liberal German Society of Anderson, Ind., against prohibition or any interstate-commerce liquor laws; to the Committee on the Judiciary.

By Mr. LAMB: Memorial of the Richmond (Va.) Chamber of Commerce, indorsing House bill 20044, for the improvement of the foreign service; to the Committee on Foreign Affairs.

By Mr. LANGLEY: Petition of Post No. 18, Grand Army of the Republic, favoring the passage of House bill 14070; to the Committee on Invalid Pensions.

By Mr. LEVY: Memorial of members of United Harbor No. 1 of the American Association of Masters, Mates, and Pilots, for legislation to promote the efficiency of the Public Health and Marine-Hospital Service; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Medical Society of the State of New York, for the creation of a national department of health; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the North Side Board of Trade, in the city of New York, for improvement of a portion of the Harlem River; to the Committee on Rivers and Harbors.

By Mr. LINDSAY: Petition of the Brotherhood of American Yeomen, for amending the section of the Post Office appropriation bill relating to fraternal publications; to the Committee on the Post Office and Post Roads.

Also, memorial of the Maritime Exchange of New York City, for legislation to promote the efficiency of the Public Health and Marine-Hospital Service; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the North Side Board of Trade, in the city of New York, favoring bill for improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

By Mr. MORGAN: Petitions of citizens of Dombey, Okla., for passage of legislation providing for old-age pensions; to the Committee on Pensions.

By Mr. MOTT: Resolution of the North Side Board of Trade, city of New York, favoring bill for improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

By Mr. RAKER: Resolutions of the Chamber of Commerce of San Francisco, Cal., against passage of House bill 11372; to the Committee on the Merchant Marine and Fisheries.

By Mr. REDFIELD: Resolution of the North Side Board of Trade, city of New York, favoring bill for improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

By Mr. RUCKER of Colorado: Petition of R. A. Porter and others, of Laird, Colo., favoring passage of the Haugen bill (H. R. 21255) and against the passage of the Lever bill (H. R. 18493); to the Committee on Agriculture.

Also, petition of M. Connison and other members of the Cigarmakers' Union of Denver, Colo., favoring building of one battleship in the New York Navy Yard; to the Committee on Naval Affairs.

Also, petition of Fred H. Bosky and others, of Bashor, Colo., favoring passage of a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petition of Archer Christian and others, of Denver, Colo., favoring passage of an old-age pension law; to the Committee on Pensions.

Also, resolution of the Dairyman's Association of Fort Lupton, Colo., against any reduction of the tax on oleomargarine; to the Committee on Agriculture.

By Mr. SCULLY: Petition of Ira B. Tice Lodge, No. 309, Brotherhood of Railroad Trainmen, for enactment of employers' liability and workmen's compensation legislation now pending; to the Committee on the Judiciary.

By Mr. STEPHENS of California: Memorial of the Federated Improvement Association of Los Angeles, Cal., for legislation

regulating the passage of ships across the oceans; to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of the State of California, protesting against passage of House bill 17485; to the Committee on the Public Lands.

Also, resolution of the Los Angeles Chamber of Commerce, of Los Angeles, Cal., favoring setting aside 1,000,000 acres of public lands lying in each of the Western States, to be sold for the purpose of raising funds to build good roads; to the Committee on the Public Lands.

Also, petition of the California Wholesale Grocers, favoring passage of the Stevens bill; to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Resolution of the North Side Board of Trade of New York City, favoring bill for improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

Also, petition of J. E. Rhoads & Sons, of New York City, against passage of House bill 16844; to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Irving National Exchange Bank and George C. De Lacy, of New York City, for an appropriation to rebuild the levees along the Mississippi where breaks have occurred; to the Committee on Rivers and Harbors.

Also, petition of the Brotherhood of American Yeomen, for amending a section of the Post Office appropriation bill relating to publications of fraternal societies; to the Committee on the Post Office and Post Roads.

Also, petition of the McNab & Harlin Manufacturing Co., of New York City, relative to operation of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. TALCOTT of New York: Resolution of the North Side Board of Trade, city of New York, favoring bill for improvement of Bronx Kills, Harlem River, and East River, New York City; to the Committee on Rivers and Harbors.

By Mr. TAYLOR of Colorado: Petition of Lodge No. 47, of the International Association of Machinists, of Denver, Colo., favoring passage of House bill 22339 and Senate bill 6172, known as the anti-Taylor system bills; to the Committee on Labor.

Also, petition of the International Association of Machinists, of Denver, Colo., favoring passage of the Hughes eight-hour bill; to the Committee on Labor.

By Mr. THAYER: Petitions of Sumner Leonard, of Grafton, and E. V. Dexter, of Worcester, Mass., for passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of citizens of Worcester, Mass., for passage of House bill 22339 and Senate bill 6172; to the Committee on the Judiciary.

Also, petitions of citizens of the State of Massachusetts, for passage of House bill 20595, amending the patent laws; to the Committee on Patents.

Also, petition of the Baptist Church of North Uxbridge, Worcester County, Mass., favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of citizens of the State of Massachusetts, favoring building one battleship in a Government navy yard; to the Committee on Naval Affairs.

SENATE.

MONDAY, April 29, 1912.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The VICE PRESIDENT resumed the chair.

The Journal of the proceedings of Friday last was read and approved.

JAMES HARVEY DENNIS v. UNITED STATES (S. DOC. NO. 619).

The VICE PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of James Harvey Dennis v. United States, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills:

S. 4314. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 5193. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 5415. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 5493. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the House had passed the following bills, each with an amendment, in which it requested the concurrence of the Senate:

S. 4623. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 5624. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 5670. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message further announced that the House had passed the following bills and joint resolution, each with amendments, in which it requested the concurrence of the Senate:

S. 5045. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 5194. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and certain widows and dependent relatives of such soldiers and sailors; and

S. J. Res. 102. Joint resolution relative to the rebuilding of certain levees on the Mississippi River and its tributaries.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 16493. An act to correct the military record of William Z. Norman;

H. R. 23063. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and to certain widows and dependent children of soldiers and sailors of said war;

H. R. 23515. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors;

H. R. 23557. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 23765. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message further requested the Senate to furnish the House with a duplicate engrossed copy of the bill (S. 2224) to amend "An act to regulate the height of buildings in the District of Columbia," approved June 1, 1910, the original having been lost or mislaid.

CREDENTIALS.

Mr. SWANSON presented the credentials of THOMAS STAPLES MARTIN, chosen by the Legislature of the State of Virginia a Senator from that State for the term beginning March 4, 1913, which were read and ordered to be filed.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the congregation of the First Presbyterian Church of Middletown, N. Y., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors, which was referred to the Committee on the Judiciary.

Mr. CULLOM presented memorials of sundry citizens of Chicago, Maywood, Joliet, Oak Park, La Grange, Evanston, Berwyn, Mattoon, Wheaton, Riverside, Elmhurst, Champaign, Knoxville, Galesburg, Bloomington, Rockford, Brookfield, Mansfield, Morris, St. Charles, Moline, Centralia, Salem, Patoka, Danville, Decatur, Rochelle, Quincy, Wilmette, and Polo, all in the State of Illinois, remonstrating against the establishment of a department of public health, which were ordered to lie on the table.

He also (for Mr. LORIMER) presented memorials signed by 4,244 citizens of Illinois, remonstrating against the establishment of a department of health, which were ordered to lie on the table.